

15

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

United States District Court
Southern District of Texas
FILED

NOV 12 2002

Michael N. Milby, Clerk of Court

VENTURA CERDA AND
CELIA CERDA

VS.

HARTFORD LLOYD'S
INSURANCE COMPANY

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CIVIL ACTION NUMBER M-02-118

**DEFENDANT HARTFORD LLOYDS INSURANCE COMPANY'S MOTION TO
EXCLUDE PLAINTIFFS VENTURA CERDA AND CELIA CERDA'S EXPERT
WITNESS MIKE KRISMER**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES DEFENDANT, Hartford Lloyds Insurance Company and makes this
it's Motion to Exclude Plaintiffs Ventura Cerda and Celia Cerda's previously designated
expert witness, Mike Krismer, and for such would show unto the Court as follows:

I.

This Motion is brought before the Court under FEDERAL RULES OF CIVIL
PROCEDURE 16(c)(4).

II.

On September 5, 2002, this Court entered it's "SCHEDULING ORDER". Paragraph
1 of which states as follows:

"November 1, 2002 - All Discovery must be completed by this date . No
Motion for extension of time will be granted unless there is a showing of
express need and that good cause exists". (See Exhibit "A" attached hereto)

"October 2, 2002 - Motions for Extension of Time to complete discovery must be filed by this date." (See Exhibit "A" attached hereto)

III.

FEDERAL RULES OF CIVIL PROCEDURE 26a(2)(A) requires that:

"In addition to the disclosures required by paragraph (1), a party **shall disclose** to other parties the identity of any person who may be used at trial to present evidence under rule 702, 703, or 705 of the FEDERAL RULES OF EVIDENCE.

IV.

FEDERAL RULES OF CIVIL PROCEDURE 26(a)(2)(B) requires that the disclosure referred to above:

"Shall, with respect to a witness who is retained or specially employed to provide expert testimony in the case or whose duties an employee of the party regularly involved giving expert testimony, be accompanied by a written report prepared and signed by the witness. The report shall contain a complete statement of all opinions to be expressed and the basis and reasons therefore; the data or other information considered by the witness informing the opinion; any exhibits to be used as a summary of or support for the opinion; the qualifications of the witness, including a list of all publications authored by the witness, within the preceding ten years; the compensation to be paid for the study and testimony; and a listing of any other cases in which the witnesses testified as an expert at trial or by deposition within the preceding four years."

Neither Plaintiffs nor Plaintiffs' "expert" has made any effort to comply with any of the requirements of Federal Rules of Civil Procedure 26(a)(2)(B).

V.

FEDERAL RULES OF CIVIL PROCEDURE 26(a)(2)(C) requires that:

"these disclosures shall be made at the times and in the sequence directed by the court," or in this case no later than Friday, November 1, 2002. (See Scheduling Order . . Exhibit "A" attached hereto).

VI.

Even though the plaintiffs were fully cognizant of this requirement and timely designated expert Mike Krismer as one of their experts, neither Plaintiffs nor Mike Krismer has timely supplied the written reports required both by the Court Scheduling Order and by FEDERAL RULE OF CIVIL PROCEDURE 26(a)(2)(B).

VII.

Such timely reports were not produced at a reasonable time in order to allow the defendant to properly investigate and/or depose the plaintiffs' so-called expert. Defendant received the required report on November 1, 2002. (See Exhibit "D" attached hereto). By virtue of this Court's Scheduling Order, discovery ended on Friday, November 1, 2002 and this defendant had no timely expert report from Mike Krismer nor did he properly or timely respond to Depositions on Written Questions directed to him, (See Exhibit "B" attached hereto); (3) nor did he appear at his duly noticed and agreed upon deposition scheduled by agreement on October 29, 002 at 10:00 a.m. at the Federal Court Building in McAllen, Texas. (See Exhibit "C" attached hereto). Such "expert" therefore, should be excluded from testifying in this cause on the basis of: (1) plaintiffs' and their expert's apparent willful violation of this Court's Order; (2) violation of FEDERAL RULES OF CIVIL PROCEDURE Rule 26; (3) of a Federal Subpoena for his Deposition on Written Questions; and (4) his inexcusable failure to appear at the agreed to date, time and place for his oral deposition.

VIII.

Further, Defendant hereby challenges the qualifications of Mike Krismer, plaintiffs' designated expert because he is not qualified and does not possess a higher degree of knowledge, skill, experience, training or education than an ordinary person, and does not have the practical experience and necessary academic training to support any expert opinion of any material relevance in this cause.

IX.

It is in good faith, believed that the expert designated by the plaintiffs herein above, holds opinions that are not reliable, that is, (1) that the expert's testimony is not based upon sufficient facts or data; (2) the expert's testimony will not be supported by reliable principles and methods and; (3) the expert has not properly applied the correct principles and methods of reliability to the facts of this case.

X.

Daubert v Merrell Dow Pharmaceutical Inc., 509 US 579, 113 S.Ct. 2786 (1993) set forth several "general observations" or factors for a trial Court to consider when evaluating or testing the reasoning or methodology underlying the expert's testimony. Whether the theory or technique underlying the expert's testimony can be or has been tested, implies that an expert has conducted studies or analysis to substantiate their opinion. No such information has been provided by Plaintiffs.

XI.

Daubert also sets forth as a factor for the trial court to consider the known or potential rate of error of the technique in existence and maintenance of standards controlling the techniques operation. There has been no timely opinion offered by the plaintiff by their expert, and therefore there is no known technique against which to test the potential rate of error or the maintenance of relevant standards controlling such techniques. (*Daubertt*, 509 US at 594, 113 S.Ct. at 2797).

XII.

We have no idea whether the plaintiffs' expert's opinion involves theories or techniques that has been subjected to peer review in publication nor whether the experts theory or technique enjoys general acceptance within a relevant scientific or medical community. Additionally, we have no idea whether the named expert has unjustifiably extrapolated from an accepted premise to an unfound conclusion. . . we have no written opinions or reports from the expert whatsoever and the time to properly supply them has long since past.

XIII.

Because there are no timely written expert opinions or reports, there is no determination of any kind as to whether his opinions are relevant in any way. FEDERAL RULES OF EVIDENCE 702 requires that the expert's opinion must assist the trier of fact to understand the evidence or determine the fact at issue. (*Westbury v Gislaved Gummi AB*, 178 Fed.3rd 257, 260 (4th Cir.). There is no way to judge the relevance of the plaintiffs'

proposed expert testimony since we have no timely supplied opinions and therefore can not determine whether the reasoning or methodology of the expert opinions can be applied properly to the facts in this case.

Defendant therefore, prays the Court exclude the testimony of plaintiffs' previously designated "expert" Mike Krismer and for such other and further relief to which this defendant should show itself entitled.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "F. Edward Barker", is written over a horizontal dashed line.

F. Edward Barker
State Bar No. 01741000
Federal I.D. No. 970
Attorney-in-Charge for Defendant
Hartford Lloyds Insurance Company
Tower II, Suite 1200
555 N. Carancahua St.
Corpus Christi, Texas 78478
(512) 881-9217; FAX (512) 882-9437

OF COUNSEL:
BARKER, LEON, FANCHER & MATTHYS,
L.L.P.

CERTIFICATE OF SERVICE

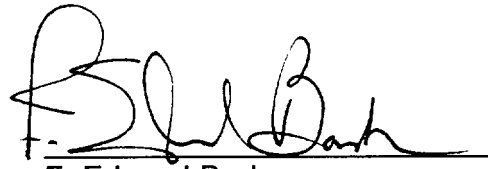
I certify that on November 5 2002, a complete and correct copy of the **MOTION TO EXCLUDE PLAINTIFFS' EXPERT WITNESSES MIKE KRISMER** of was served on each party by delivery to the following attorneys of record in the manner indicated below:

Certified Mail/RRR No. 7002 1000 0005 6854 1667

Ms. Savannah Robinson
LAW OFFICES OF SAVANNAH ROBINSON
1810 Main Street
Danbury, Texas 77534

Certified Mail/RRR No. 7002 1000 0005 6854 1636

Mr. David Garcia
LAW OFFICE OF DAVID GARCIA
101 North 10th Street
Edinburg, Texas 78539


F. Edward Barker

CERTIFICATE OF CONFERENCE

This will certify that I have conferred with opposing counsel via telephone concerning the above and foregoing Defendant Hartford Lloyd's Insurance Company's Motion to Exclude Plaintiffs Ventura Cerda and Celia Cerda's Expert Witness Mike Krismer; opposing counsel is not in agreement with said Motion to Exclude Expert Witness; and efforts to resolve the dispute without the necessity of court intervention have been attempted and failed.

Signed this 4 day of November, 2002,

A handwritten signature in black ink, appearing to read "F. Edward Barker", written over a horizontal line.

F. Edward Barker

PA 9-5-02
12:14

✓
United States District Court
Southern District of Texas
FILED

SEP 05 2002

Michael N. Milby, Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

United States District Court
Southern District of Texas
ENTERED

SEP 06 2002

Michael N. Milby, Clerk of Court

VENTURA CERDA AND CELIA CERDA)	
)	
VS.)	CIVIL ACTION NUMBER
)	
HARTFORD LLOYD'S INSURANCE)	M-02-118
COMPANY)	

RULE 16, F.R.C.P. SCHEDULING ORDER

The following schedule will control the disposition of this case:

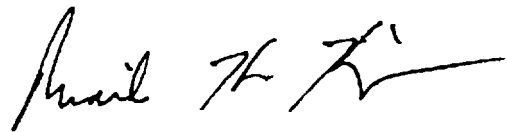
1. **NOVEMBER 1, 2002** **ALL DISCOVERY** must be completed by this date. No motion for extension of time will be granted unless there is a showing of express need and that good cause exists.
2. **OCTOBER 2, 2002** **MOTIONS** for extension of time to complete discovery must be filed by this date.
3. **NOVEMBER 11, 2002** **MOTION DEADLINE:** All other motions, including joinder of parties, must be filed by this date.
4. **NOVEMBER 11, 2002** **JOINDER OF ALL PARTIES** will be accomplished by this date. Counsel responsible for such joinder will deliver a copy of this Scheduling Order to all newly joined parties.
5. **NOVEMBER 27, 2002** **A JOINT PRETRIAL ORDER** shall be filed by this date by counsel in the format prescribed in Appendix B of the Local Rules of the Southern District of Texas.
6. **DECEMBER 4, 2002** **A PRETRIAL CONFERENCE** is set on this date at 2:30 p.m. in the 10th Floor Courtroom, Bentsen Tower, 1701 West Business Highway 83, in McAllen, Texas.



Attendance by counsel for all parties is required at the Pretrial Conference unless a written motion to reschedule the Pretrial Conference has been granted by the Court. Failure to timely file the Joint Pretrial Order will result in the imposition of sanctions pursuant to Rule 16(f) F.R.C.P., including dismissal or default judgment, as appropriate. Counsel are admonished that any motion presented for filing which is not in compliance with Local Rule 7 will be stricken from the record. Counsel are to notify the Court immediately should the case be settled, and an appropriate joint motion and dismissal order shall be submitted to the Court.

The Clerk shall send a copy of this order to the counsel of record for the parties.

DONE on this 5th day of September, 2002, at McAllen, Texas.



Ricardo H. Hinojosa
UNITED STATES DISTRICT JUDGE

In the United States District Court
for the SOUTHERN District of Texas
MCALLEN Division

VENTURA CERDA AND CELIA CERDA	§	
	§	
vs.	§	CA No.: M-02-118
	§	
HARTFORD LLOYD'S INSURANCE	§	
COMPANY		

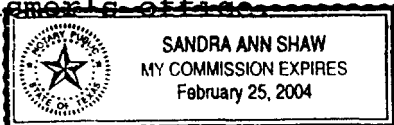
AFFIDAVIT

Records pertaining to: CIVIL ACTION NO. M-02-118

Before me, the undersigned authority, personally appeared
Rosalinda Sanchez, who being by me duly
sworn, deposed as follows:

My name is Rosalinda Sanchez. I am over 18 years of age, of
sound mind, capable of making this affidavit, and personally
acquainted with the facts herein stated:

I am an employee of U.S. Legal Support, Inc. A subpoena
duces tecum for production of documentary evidence which was
issued by a Texas Notary Public, pursuant to Rule 176.4c., Texas
Rules of Civil Procedure, was sent to Michael T. Krismer, Krismer
& Company, Inc., by certified mail on September 17, 2002. I spoke
with Mr. Krismer's office over twenty times before setting a date
to pick up the records. We were scheduled to have the records
picked up from Mr. Krismer's office on October 29, 2002.
However, our runner, Lucia Tapia, was not able to reach anyone in
the office that day. Ms. Tapia called me on October 29, 2002 to
inform me that she was not able to reach anyone in the office. I
started calling Mr. Krismer's office, and have been leaving
messages since the 29th. We have not had a response from Mr.
Krismer's office.



Rosalinda Sanchez
AFFIANT

Sworn to and subscribed before me on this the 1st day
of November, 2002.

Sandra Ann Shaw NOTARY PUBLIC, STATE OF TEXAS
My Commission Expires: _____

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

VENTURA CERDA AND
CELIA CERDA

VS.

HARTFORD LLOYD'S
INSURANCE COMPANY

§
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§

CIVIL ACTION NUMBER M-02-118

**DEFENDANT HARTFORD LLOYD'S INSURANCE COMPANY'S
NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS OF
EXPERT WITNESS MIKE KRISMER**

TO: PLAINTIFFS, VENTURA CERDA and CELIA CERDA, BY AND THROUGH
THEIR ATTORNEYS OF RECORD, SAVANNAH ROBINSON, 1810 MAIN
STREET, DANBURY, TEXAS 77534, AND DAVID GARCIA, LAW OFFICE OF
DAVID GARCIA, 101 NORTH 10TH STREET, EDINBURG, TEXAS 78539.

In accordance with Federal Rule of Civil Procedure 31, you are hereby notified
that 14 days after service upon you of this Notice and a copy of the attached Written
Questions, Defendant Hartford Lloyd's Insurance Company will take the deposition
of Mike Krismer, CIE, Contractor, 4838 Holly Rd., #104, Corpus Christi, Texas
78411, (361) 906-2200, upon these Written Questions and such Cross-Questions as
may be duly served. The deposition will be taken before an officer authorized to take
such depositions, U.S. Legal Support, Inc., 500 N. Water Street, Suite 500 S, Corpus
Christi, Texas 78471, (361) 883-1716.

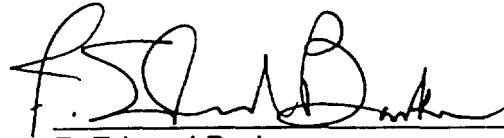
This same officer will be requested to issue a subpoena duces tecum, pursuant
to Federal Rules of Civil Procedure 34(c), directing the witness to produce all of the

following:

- (1) Curriculum vitae;
 - (a) A list of your formal educational training after high school including each course taken, the location where you took it and any college degree earned.
 - (b) Any certificates earned, awarded by whom, detail each course taken, over what period of time, and where.
- (2) A list of all publications written by the witness.
- (3) Copies of all publications written by the witness which deal with the areas in which the deponent expects to testify in this case;
- (4) Any literature and research or study done by the witness or in which the witness participated in any way, along with supporting statistics and summaries of findings, regarding the subject areas in which the witness expects to testify;
- (5) All documents, exhibits, facts, photographs, motion pictures, videos, t.v. recordings, maps, drawings, charts, diagrams, measurements, surveys and materials of every kind and nature representing or containing facts upon which the witness may rely in giving testimony in this case, or which may be used to represent, illustrate or explain the witness' testimony in this case;
- (6) A list of all information received by the witness about the case, whether solicited or not, from the plaintiffs, plaintiffs' attorneys or other experts or other persons;
- (7) All written materials or photographs of any nature received by the witness about the case, whether solicited or not, from the defendant, defendant's attorneys, other experts or other persons;
 - (a) Any written materials, photographs, motion pictures, videos or recordings of any kind taken or prepared by you.
- (8) A list of all documents, reports, letters, studies and statistical data or compilations that will be used to substantiate the witness' opinions;

- (9) All documents constituting, reflecting or recording mathematical calculations, formulas, equations, worksheets, charts and computer printouts used in formulating any opinion to be offered in this case;
- (10) A printout of any computer programs in this case;
- (11) All computer-generated analyses done in this case;
- (12) Any visual displays or exhibits to be used by the witness at the trial in connection with the offering of his opinions;
- (13) The witness' entire file in this case of C. A. No. M-02-118; *Ventura Cerda and Celia Cerda vs. Hartford Lloyd's Insurance Company*;
- (14) A list of each case in which you have ever testified either by deposition or in trial along with the names of the parties, the county and state in which filed, the cause number and the amount of money you were paid in each particular case; and
- (15) Please list each and every lawsuit in which you have been a defendant giving: (a) the style and number of that lawsuit; (b) the state and county in which it was filed, (c) a summary of the allegations made against you; (d) and if concluded, the outcome, and (e) if settled and you or your insurer paid any money to any other party, to whom and how much was paid.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. Edward Barker', is written over a horizontal line.

F. Edward Barker
State Bar No. 01741000
Federal I.D. No. 970
Attorney-in-Charge for Defendant
Hartford Lloyd's Insurance Company
Tower II, Suite 1200
555 N. Carancahua St.
Corpus Christi, Texas 78478
(361) 881-9217; FAX (361) 882-9437

OF COUNSEL:
BARKER, LEON, FANCHER & MATTHYS,
L.L.P.

CERTIFICATE OF SERVICE

I certify that on September 7, 2002, a complete and correct copy of **Defendant Hartford Lloyd's Insurance Company's Notice of Intention to Take Deposition On Written Questions of Expert Witness Mike Krismer** was served on each party by delivery to the following attorney(s) of record in the manner indicated below:

Via Certified Mail/RRR No. 7001 1940 0005 0775 6138

Ms. Savannah Robinson
LAW OFFICES OF SAVANNAH ROBINSON
1810 Main Street
Danbury, Texas 77534

Via Certified Mail/RRR No. 7001 1940 0005 0775 6145

Mr. David Garcia
LAW OFFICE OF DAVID GARCIA
101 North 10th Street
Edinburg, Texas 78539


F. Edward Barker

United States District CourtIn the SOUTHERN District of Texas
MCALLEN DivisionVENTURA CERDA AND CELIA CERDA
v.
HARTFORD LLOYD'S INSURANCE COMPANY**SUBPOENA IN A CIVIL CASE**
CASE NUMBER: M-02-118To: The Custodian of Records for:
MICHAEL T. KRISMER KRISMER & COMPANY, INC.
2203 AYERS
CORPUS CHRISTI, TX 78404In the SOUTHERN
District of Texas
MCALLEN Division

You are commanded to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

You are commanded to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
---------------------	---------------

You are commanded to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects): ANY AND ALL RECORDS REQUESTED IN THE ATTACHED EXHIBIT A

PLACE AT THE OFFICE OF THE CUSTODIAN: 2203 AYERS CORPUS CHRISTI, TX 78404	DATE AND TIME INSTANTER, 2002 BUT NOT MORE THAN 14 DAYS
--	--

You are commanded to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
----------	---------------

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b) (6).


ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) 	DATE 9/11/02
ISSUING OFFICER'S NAME, ADDRESS, AND PHONE NUMBER F. EDWARD BARKER, ATTORNEY FOR Defendant BARKER, LEON, FANCHER, & MATTHYS, L TOWER II 1200, 555 N. CARANCAHUA STREET, CORPUS CHRISTI, TX 78478	

EXHIBIT A

- (1) Curriculum vitae;
 - (a) A list of your formal educational training after high school including each course taken, the location where you took it and any college degree earned.
 - (b) Any certificates earned, awarded by whom, detail each course taken, over what period of time, and where.
- (2) A list of all publications written by the witness.
- (3) Copies of all publications written by the witness which deal with the areas in which the deponent expects to testify in this case;
- (4) Any literature and research or study done by the witness or in which the witness participated in any way, along with supporting statistics and summaries of findings, regarding the subject areas in which the witness expects to testify;
- (5) All documents, exhibits, facts, photographs, motion pictures, videos, t.v. recordings, maps, drawings, charts, diagrams, measurements, surveys and materials of every kind and nature representing or containing facts upon which the witness may rely in giving testimony in this case, or which may be used to represent, illustrate or explain the witness' testimony in this case;
- (6) A list of all information received by the witness about the case, whether solicited or not, from the plaintiffs, plaintiffs' attorneys or other experts or other persons;
- (7) All written materials or photographs of any nature received by the witness about the case, whether solicited or not, from the defendant, defendant's attorneys, other experts or other persons;
 - (a) Any written materials, photographs, motion pictures, videos or recordings of any kind taken or prepared by you.
- (8) A list of all documents, reports, letters, studies and statistical data or compilations that will be used to substantiate the witness' opinions;

- (9) All documents constituting, reflecting or recording mathematical calculations, formulas, equations, worksheets, charts and computer printouts used in formulating any opinion to be offered in this case;
- (10) A printout of any computer programs in this case;
- (11) All computer-generated analyses done in this case;
- (12) Any visual displays or exhibits to be used by the witness at the trial in connection with the offering of his opinions;
- (13) The witness' entire file in this case of C. A. No. M-02-118; *Ventura Cerda and Celia Cerda vs. Hartford Lloyd's Insurance Company*;
- (14) A list of each case in which you have ever testified either by deposition or in trial along with the names of the parties, the county and state in which filed, the cause number and the amount of money you were paid in each particular case; and
- (15) Please list each and every lawsuit in which you have been a defendant giving: (a) the style and number of that lawsuit; (b) the state and county in which it was filed, (c) a summary of the allegations made against you; (d) and if concluded, the outcome, and (e) if settled and you or your insurer paid any money to any other party, to whom and how much was paid.

US Legal Support, Inc.

500 N. Water Street
Suite 500 S
Corpus Christi, TX 78471-
(361) 883-1716
Fax (361) 888-6550

In the United States District Court
for the SOUTHERN District of Texas
MCALLEN Division

VENTURA CERDA AND CELIA CERDA	\$	
	\$	
vs.	\$	CA No.: M-02-118
	\$	
HARTFORD LLOYD'S INSURANCE COMPANY	\$	

TO ALL ATTORNEYS OF RECORD:

This shall serve as notification pursuant to Rule 31, Federal Rules of Civil Procedure, that the following records and corresponding "Deposition by Written Questions" in response to the above-referenced case have been forwarded to F. EDWARD BARKER for filing with the court at a later date.

Records pertain to: **CIVIL ACTION M-02-118**

CUSTODIAN	DATE SUBMITTED TO ATTORNEY	TAXABLE COST
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MICHAEL T. KRISMER KRISMER & COMPANY, INC.

(ANY AND ALL)

11-1-02 \$ 208⁰⁰

Should you have any questions regarding this matter, please contact US Legal Support, Inc..

Respectfully submitted,
US Legal Support, Inc.

For: F. EDWARD BARKER
cc: SAVANNAH ROBINSON
DAVID GARCIA

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

VENTURA CERDA AND
CELIA CERDA

VS.

HARTFORD LLOYD'S
INSURANCE COMPANY

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CIVIL ACTION NUMBER M-02-118

**DEFENDANT HARTFORD LLOYDS INSURANCE COMPANY'S MOTION TO
EXCLUDE PLAINTIFFS VENTURA CERDA AND CELIA CERDA'S EXPERT
WITNESS MIKE KRISMER**

EXHIBIT "C"

1 IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

2 MCALLEN DIVISION

3 VENTURA CERDA and)
CELIA CERDA,)
4 Plaintiffs)

5 VS.) CIVIL ACTION
NO. M-02-118

6)
7 HARTFORD LLOYDS)
INSURANCE COMPANY,)
8 Defendant.)

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11 CERTIFICATE OF NON-APPEARANCE
12 DEPOSITION OF MIKE KRISMER
13 OCTOBER 29, 2002

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ORIGINAL

1 THE STATE OF TEXAS }

2 COUNTY OF HIDALGO }

3 I, Sindy Sanders, being over the age of
4 eighteen (18) years and of sound mind and a
5 Certified Shorthand Reporter in and for the State
6 of Texas, swear to the following:

7 On October 29, 2002, at the request of F.
8 EDWARD BARKER, BARKER, LEON, FANCHER & MATTHYS,
9 L.L.P., 555 N. Carancahua Street, Tower II, Suite
10 1200, Corpus Christi, Texas, I was present at THE
11 LAW OFFICES OF SAVANNAH ROBINSON, Federal
12 Courthouse Building, 1701 W. Business Highway 83,
13 Room 222, McAllen, Texas, at 10:00 a.m. to report
14 the oral deposition of the witness, MIKE KRISMER.
15 At that time, I was informed that a Notice of
16 Oral Deposition With Subpoena Duces Tecum had
17 been forwarded to all parties. The Notice of the
18 Oral Deposition that was received by my office is
19 attached hereto as Exhibit No. 1.

20 At 10:30 a.m., the witness, MIKE KRISMER,
21 had not appeared for the purpose of giving his
22 deposition.

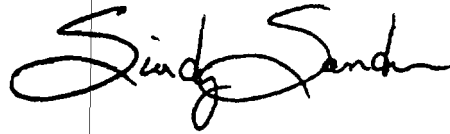
23 F. EDWARD BARKER, Counsel for Defendant,
24 then instructed me to complete a Certificate of
25

1 Non-Appearance.

2

3

4



SINDY SANDERS

5

Certified Shorthand Reporter

Expiration Date: 12/31/2002

6

U.S LEGAL SUPPORT, INC.

500 N. Water Street

7

Suite 500-S

Corpus Christi, Texas 78471

8

(361) 883-1716

Facsimile (361) 888-6550

9

10 THE STATE OF TEXAS }

11 COUNTY OF HIDALGO }

12 SUBSCRIBED AND SWORN TO BEFORE ME by Sindy
Sanders on this the 04th day of November
13 2002.

14

15

NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

16

My Commission Expires:

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

VENTURA CERDA AND
CELIA CERDA

VS.

HARTFORD LLOYD'S
INSURANCE COMPANY

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CIVIL ACTION NUMBER M-02-118

**FIRST AMENDED NOTICE OF DEFENDANT, HARTFORD LLOYD'S INSURANCE
COMPANY TO TAKE THE ORAL DEPOSITION OF EXPERT MIKE KRISMER WITH
SUBPOENA DUCES TECUM**

TO: PLAINTIFFS, VENTURA CERDA and CELIA CERDA, BY AND THROUGH THEIR ATTORNEYS OF RECORD, SAVANNAH ROBINSON, 1810 MAIN STREET, DANBURY, TEXAS 77534, AND DAVID GARCIA, LAW OFFICE OF DAVID GARCIA, 101 NORTH 10TH STREET, EDINBURG, TEXAS 78539.

PLEASE TAKE NOTICE that pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure, Defendant, Hartford Lloyd's Insurance Company, by and through its attorney of record below signed, will take the oral deposition of **MIKE KRISMER** at **1701 Business Highway 83, Room 222, Federal Court Building, McAllen, Texas 78501** on **Tuesday, October 29, 2002**, beginning at 10:00 o'clock a.m. Said deposition will continue from day to day until completed. It is intended that this notice shall also serve as a Subpoena Duces Tecum and that the documents enumerated below are requested to be produced at the time of the taking of this deposition.

Said deposition will be recorded stenographically and may be videotaped and will be recorded by a court reporter provided by U.S. Legal Support, 1716, 500 N. Water Street, Suite 500 S, Corpus Christi, Texas 78471.

The WITNESS is requested to produce the original and any copies of the following documents in his possession, or in the possession of his attorney. The documents to be produced are as follows:

1. Curriculum Vitae;
2. A list of all publications written by the witness;
3. Copies of all publications written by the witness which deal with areas in which the deponent expects to testify in this case;
4. Any literature and research or study done by the witness or in which the witness participated in any way, along with supporting statistics and summaries of findings, regarding the subject areas in which the witness expects to testify;
5. All documents, exhibits, facts, photographs, motions pictures, videos, t.v. recordings, maps, drawings, charts, diagrams, measurements, surveys and materials concerning representing or containing facts upon which the witness may rely in giving testimony in this case, or which may be used to represent, illustrate or explain the witness' testimony in this case;
6. A list of all information received by the witness about the case, whether solicited or not, from the Plaintiffs, Plaintiffs' attorneys or other experts or other persons (including Defendant or Defendant's attorneys);
7. All written materials or photographs of any nature received by the witness about the case, whether solicited or not, from the Plaintiffs, Plaintiffs' attorneys, other experts or other persons (including Defendant or Defendant's attorneys);
8. A list of all documents, reports, letters, studies or statistical data or compilations that will be used to substantiate the witness' opinions;

9. All documents constituting, reflecting or recording mathematical calculations, formulas, equations, worksheets, charts and computer printouts used in formulating any opinion to be offered in this case;
10. A printout of any computer programs in this case;
11. All computer-generated analyses done in this case;
12. Any visual displays or exhibits to be used by the witness at the trial in connection with the offering of his opinions;
13. The witness' entire file in this case of Ventura Cerda and Celia Cerda vs. Hartford Lloyds Insurance Company, Cause No. M-02-118
14. All reports prepared by you in connection with this litigation, all physical models, compilations of data and other materials prepared by or relied upon by you , or under your supervision and control, in anticipation for testimony in this case;

Respectfully submitted,



F. Edward Barker
State Bar No. 01741000
Federal I.D. No. 970
Attorney-in-Charge for Defendant
Hartford Lloyd's Insurance Company
Tower II, Suite 1200
555 N. Carancahua St.
Corpus Christi, Texas 78478
(361) 881-9217; FAX (361) 882-9437

OF COUNSEL:
BARKER, LEON, FANCHER & MATTHYS,
L.L.P.

CERTIFICATE OF SERVICE

I certify that on September 23, 2002, a complete and correct copy of **Defendant Hartford Lloyd's Insurance Company's First Amended Notice of Intention to Take Oral Deposition of Expert Mike Krismer with Subpoena Duces Tecum** was served on each party by delivery to the following attorney(s) of record in the manner indicated below:

Via Certified Mail/RRR No. 7001 1940 0005 0775 1232

Ms. Savannah Robinson
LAW OFFICES OF SAVANNAH ROBINSON
1810 Main Street
Danbury, Texas 77534

Via Certified Mail/RRR No. 7001 1940 0005 0775 1225

Mr. David Garcia
LAW OFFICE OF DAVID GARCIA
101 North 10th Street
Edinburg, Texas 78539


F. Edward Barker

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

VENTURA CERDA AND
CELIA CERDA

VS.

HARTFORD LLOYD'S
INSURANCE COMPANY

§
§
§
§
§
§
§

CIVIL ACTION NUMBER M-02-118

**ORDER ON DEFENDANT HARTFORD LLOYD'S INSURANCE COMPANY'S
MOTION TO EXCLUDE PLAINTIFFS VENTURA CERDA AND
CELIA CERDA'S EXPERT WITNESS, MIKE KRISMER**

On this ___ day of _____, 2002, came on to be heard the Defendant Hartford Lloyd's Insurance Company's Motion to Exclude Plaintiffs Ventura Cerda and Celia Cerda's Expert Witness, Mike Krismer, and the Court after hearing the argument and evidence thereon is of the opinion that said Motion should be GRANTED.

It is therefore Ordered that Plaintiffs' Expert, Mike Krismer, shall be excluded from presenting any testimony or other evidence in the trial of this cause.

Signed and entered this ___ day of _____ 2002.

U.S. DISTRICT JUDGE



October 25, 2002

Ms. Savannah Robinson
1810 Main
Danbury, Texas 77534

Subject: Preliminary Water Damage Assessment
Ventura Cerda Residence
323 W. Samano
Edinburg, Texas

Dear Ms. Robinson:

At your request, we performed a water damage assessment of the residence referenced above. Our assessment was limited to conditions that may be conducive to growth of molds or fungi and/or other water damage to the residence. Mike Krismer and Elizabeth Krismer of this office conducted the inspection on October 23, 2002.

FINDINGS

Our investigation regarding the water damage/fungal contamination to the interior portion of the residence revealed the following:

1. The residence is a single-family home constructed on a concrete pier-and-beam type foundation. It is conventionally framed and is constructed with wood siding. The roofing consists of composition shingles. A new roof was installed approximately five years ago. The home is over 50 years old, and the Cerda family has owned the home for approximately 21 years. The building drain piping was replaced less than one year ago.
2. We are in general agreement with the scope of damages identified by HNP, Inc. during their investigation in March of 2002.
3. Water damage and mold growth were observed underneath the lavatory in the bathroom as a result of a previous leak.

4838 Holly Road, #104 • Corpus Christi, Texas 78411 • (361)906-2200

1512 Dove Ave, Suite A • McAllen, Texas 78504 • (956)630-0242

Forensic Consulting • Water Damage • Environmental Assessments



**Preliminary Water Damage Assessment
Cerde Residence**

October 25, 2002

4. Water damage and mold growth were observed in the floor joists and sub-flooring underneath the commode location as a result of a floor flange leak.
5. Water damage and mold growth were observed in the floor joists and sub-flooring underneath the tub location as a result of a leak at the tub enclosure.
6. Water damage and mold growth were observed underneath the kitchen sink, in the sub-flooring, floor joists, and at the stringer as a result of a previous leak in the building drain piping.
7. Water damage and mold growth were observed at the walls, flooring, and ceiling in the water heater closet in the hallway as a result of a leak at the water heater.
8. Water damage was observed at the southeast wall of the living room as a result of water intrusion through the exterior wall system as a result of roof leakage and/or wind driven rain.
9. Water damage was observed in the living room at the walls and ceiling surrounding the fireplace as a result of roof leakage and/or wind driven rain around the chimney.
10. Decay and water damage were observed at a number of windows in the home as a result of deferred maintenance.
11. A musty odor was present in the home. This is typically associated with water damaged building materials.

The interview with Mrs. Cerda revealed the following:

Mr. Cerda is experiencing headaches, neck pain, fatigue, sinus problems, shortness of breath, dizziness, trouble sleeping, and allergy type symptoms. He had his gall bladder removed about 9 years ago.

Mrs. Cerda is experiencing nosebleeds, headaches, neck pain, fatigue, irritability, trouble sleeping, stuffy nose, congestion, hair loss, and allergy type symptoms.

Maritza Cerda, Mr. and Mrs. Cerda's 25 year-old daughter, is experiencing hair loss, headaches, and allergy type symptoms.

Roberto Cerda, Mr. and Mrs. Cerda's 14 year-old son is experiencing headaches, watery eyes, fatigue, trouble sleeping, earaches, throat infections, and allergy type symptoms. He underwent nasal surgery in February 2001. He continues snoring and he still has trouble breathing.

**Preliminary Water Damage Assessment
Cerde Residence**

October 25, 2002

Luisa Cerde, Mr. and Mrs. Cerde's 27 year-old daughter, is experiencing fatigue, headaches, watery eyes, and allergy type symptoms.

Antonio Barbosa, Mr. and Mrs. Cerde's 27 year-old son-in-law is experiencing headaches, fatigue, and allergy type symptoms. He underwent nasal surgery in 2000. He continues snoring and he still has trouble breathing.

Brianna Barbosa, Mr. and Mrs. Cerde's 7 year-old granddaughter, is experiencing headaches, fatigue, earaches, throat infections, bronchitis, and allergy type symptoms.

Anthony Barbosa, Mr. and Mrs. Cerde's 3 year-old grandson, is experiencing bronchitis, earaches, throat infections, and allergy type symptoms.

The occupants are in the process of relocating from their residence.

RECOMMENDATIONS & OPINIONS

Based upon our visual inspection of the home and the occupant interview, we have developed a preliminary scope of repairs to address the water damage and/or microbial growth at the Cerde residence. This scope of repairs is attached as an addendum to this report. Testing results and/or additional information may become available which would require modification of this scope of repairs.

We are; however, ready to render the following recommendations and opinions at this time:

1. It is our recommendation that the occupants consider consulting with their family doctor or a qualified health professional regarding occupancy of the residence.
2. It is our opinion that the water damage and/or contamination at this residence are the result of a number of distinct and separate water leaks from plumbing systems, wind driven rain, and/or roof leaks.
3. It is our opinion that the leaks documented and observed have damaged building materials at this residence.
4. It is our opinion removal and replacement of the water damaged framing members is the only prudent method of repair. This will require replacement of framing and flooring lumber in the bathroom, a portion of the kitchen, and the water heater closet.
5. Replace all damaged sill beam, joists, blocking, studs, sub-floor and hardwood flooring. This will require the removal of all decayed lumber at least three feet into sound lumber. All new lumber should be treated .6 CCA where applicable. (See excerpts from attached - Wood Handbook).

**Preliminary Water Damage Assessment
Cerde Residence**

October 25, 2002

6. In the walls where stud damage is found, "sistering" of the studs may be utilized under the following conditions:

1. Any damaged stud is cut back two to three feet past any evidence of decay.
2. The added stud should run from plate to the ceiling.

This requires removal of wall finishes around the "sistered" stud.

7. It is our opinion that due to the age of the home, a survey for asbestos and lead paint should be conducted prior to any work commencing on this home.
8. We recommend that contractors performing remediation at this residence be familiar with the following guidelines and standards regarding water damage, mold remediation, and the cleaning of HVAC systems:

"Guidelines on Assessment and Remediation of Fungi in Indoor Environments" published by the New York City Department of Health.

"Mold Remediation in Schools and Commercial Buildings" published by the Environmental Protection Agency (EPA), March 2001.

"IICRC S500 Standard and Reference Guide for Professional Water Damage Restoration" published by the Institute of Inspection Cleaning and Restoration Certification

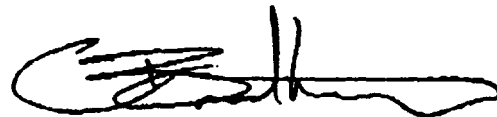
"Assessment, Cleaning, and Restoration of HVAC Systems ACR 2002", an Industry Standard Developed by the National Air Duct Cleaners Association. Copyright © 2001 by NADCA.

You should understand that damage, which is not evident at this time, may be present and could require additional work in order for clearance to be achieved should remediation be attempted. We appreciate the opportunity to be of service to you. Please feel free to call and discuss any of the information contained in this report.

Cordially,

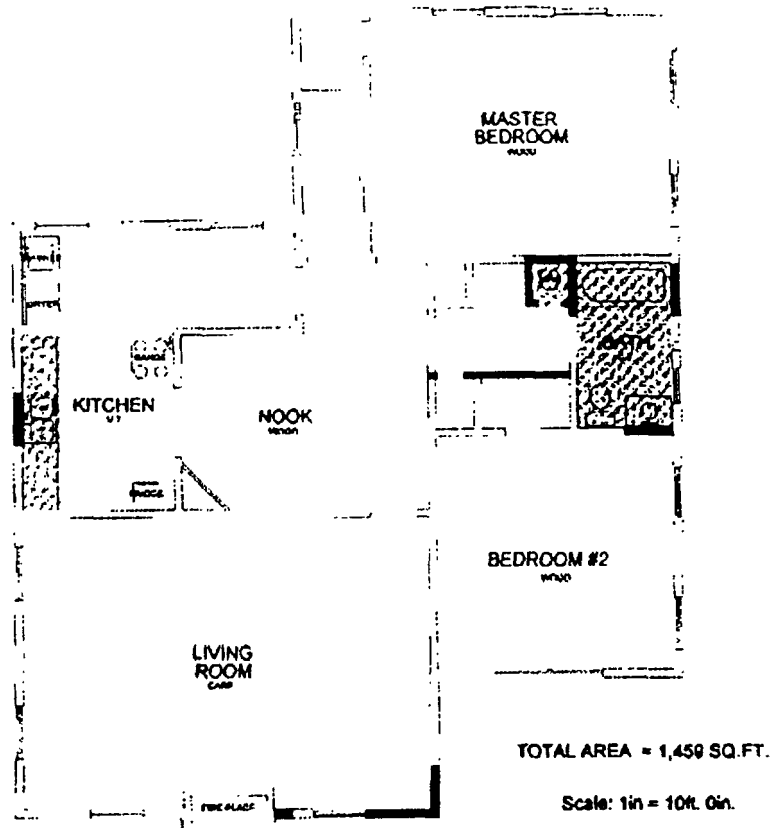


**Mike Krismer, CIE
Consultant**



**C. Brock Thomas, CIE
General Contractor/Consultant**

**Preliminary Scope of Repairs
Water Damage
Microbial Contamination**

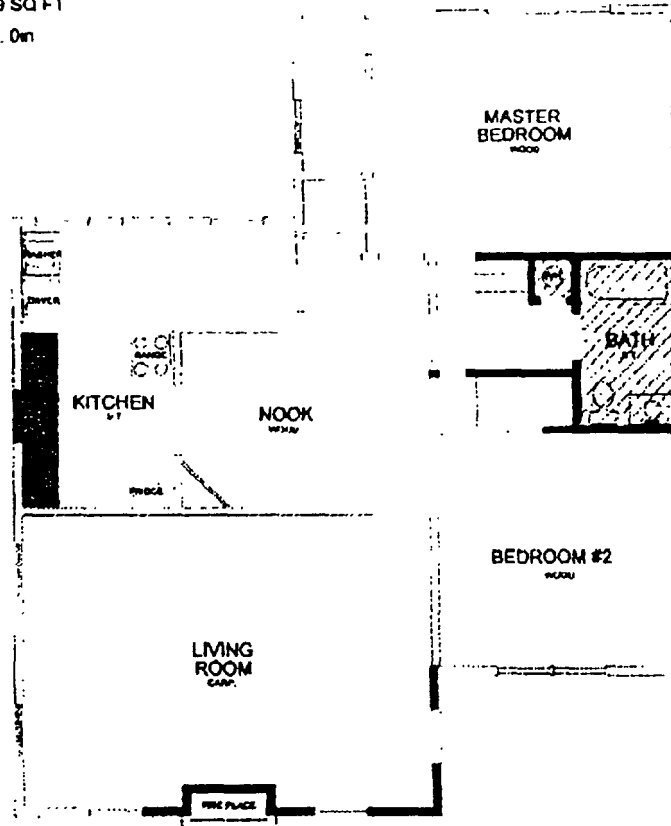






**Ventura Cerda Residence
323 Samano
Edinburg, Texas**

Preliminary Scope of Repairs
Water Damage
Microbial Contamination



TOTAL AREA = 1,459 SQ FT
Scale: 1in = 10ft. 0in



-  Replace Wall
-  Replace Flooring
-  Replace Cabinets & Flooring
-  Replace Ceiling

Ventura Cerda Residence
323 Samano
Edinburg, Texas

- Replace Porous Finishes including acoustic ceiling.
- Clean Entire House

Ventura Cerda Residence



Photo # 1 -

Photo of front of the home.

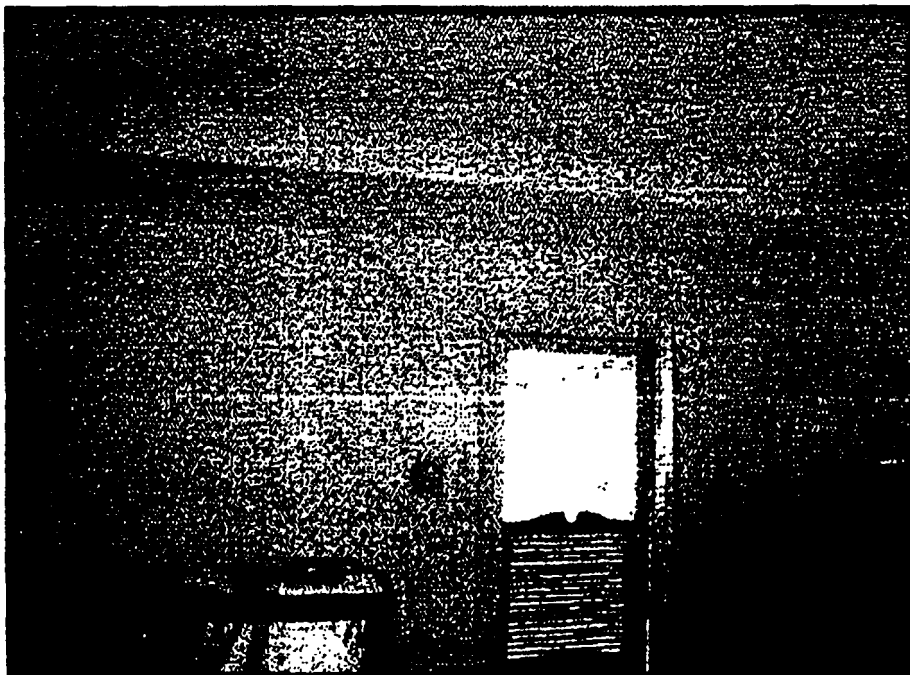


Photo # 2 -

**Photo of front door
and water damage at
this location as a
result of roof
leakage.**

Ventura Cerda Residence

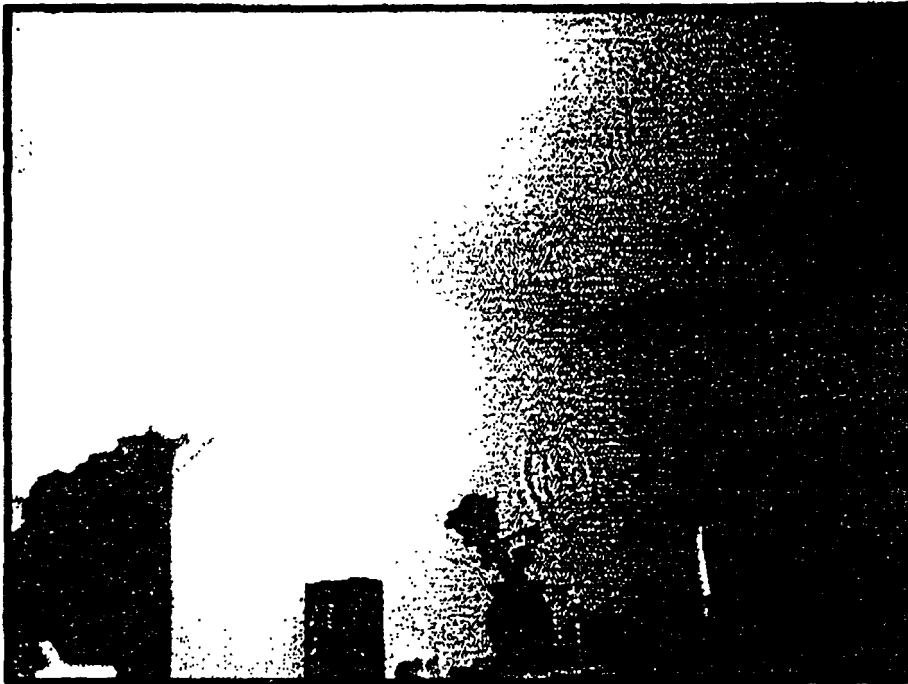


Photo # 3 -

Photo of fireplace and water damage at this location as a result of roof leakage around the chimney.

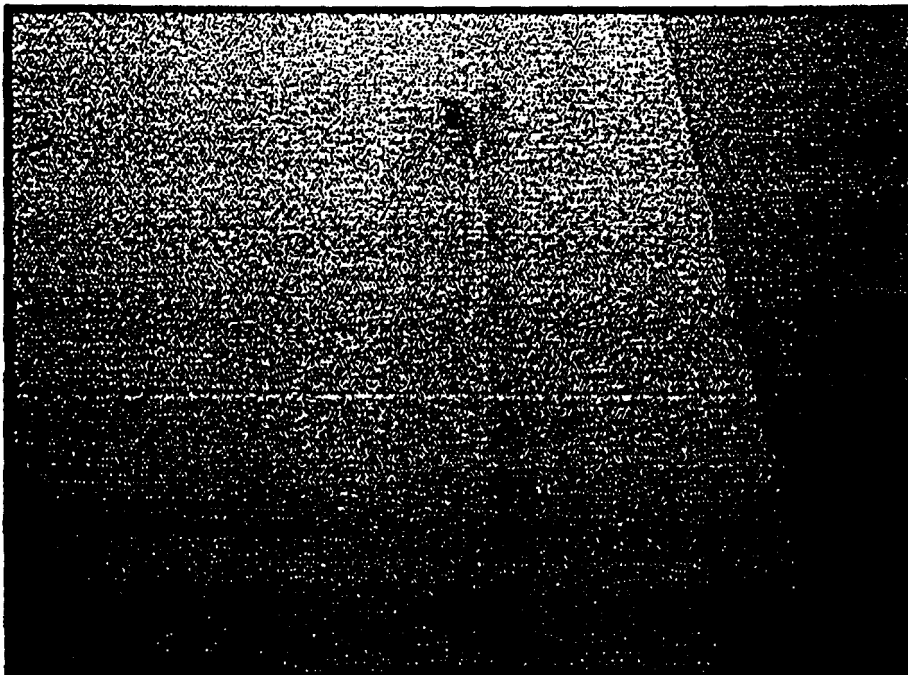


Photo # 4 -

Close-up of damage on east side of fireplace.

Ventura Cerda Residence

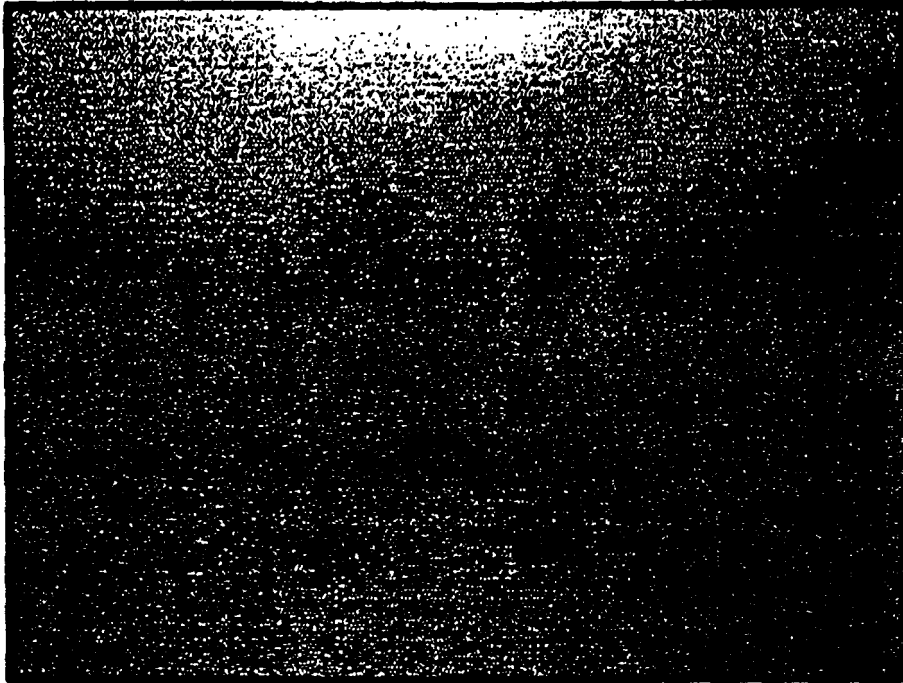


Photo # 5 -

**Close-up of damage
at ceiling in front of
fireplace.**

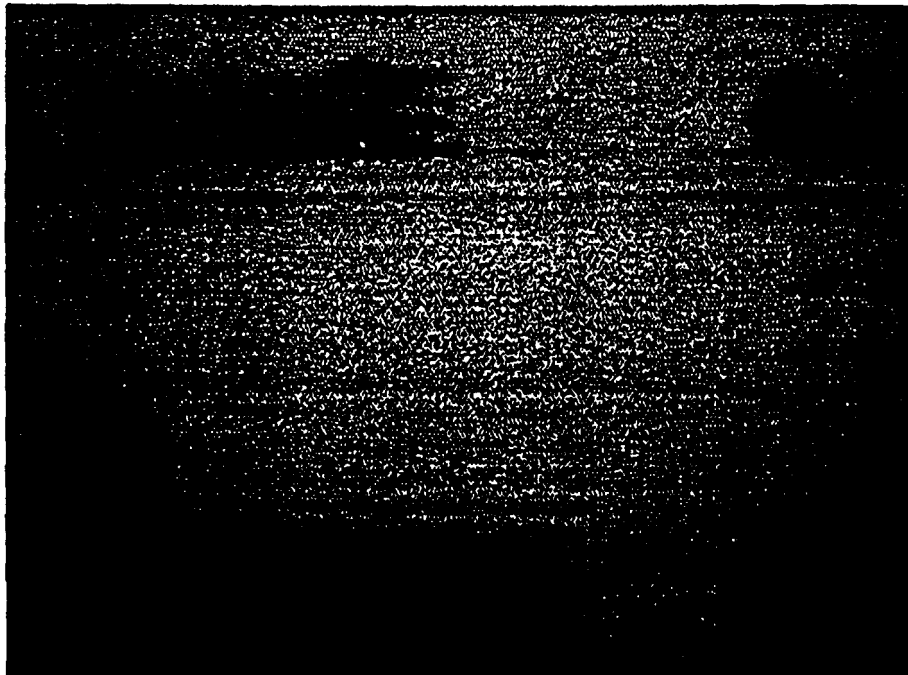


Photo # 6 -

**Water damage on
wall above fireplace
mantel.**

Ventura Cerda Residence

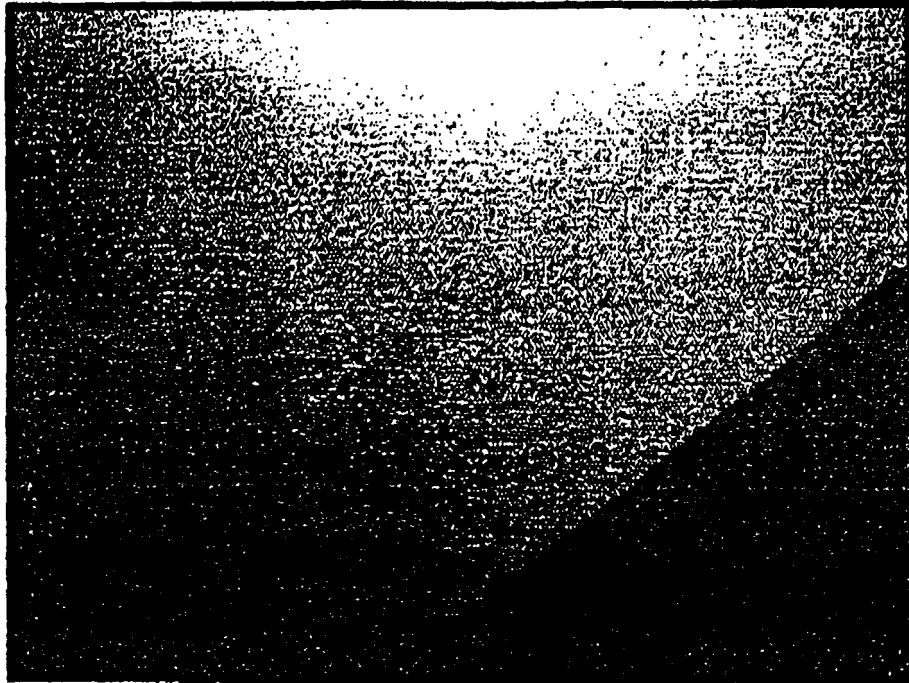


Photo # 7 -

Water damage at ceiling in living room on west side of room as a result of roof leakage.

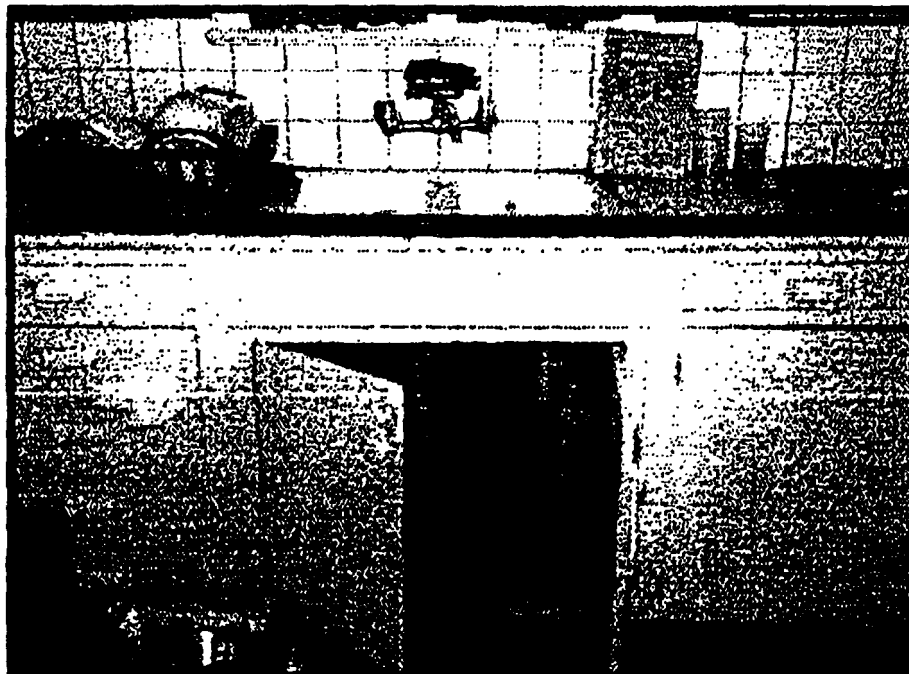


Photo # 8 -

Photo of kitchen sink.

Ventura Cerda Residence

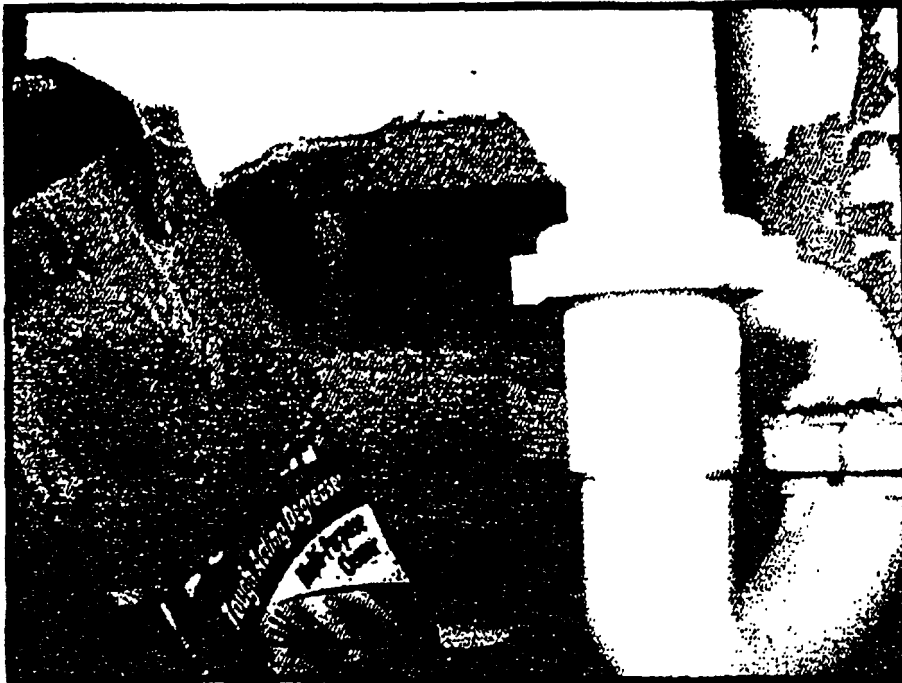


Photo # 9 -

**Photo of plumbing
underneath kitchen
sink.**

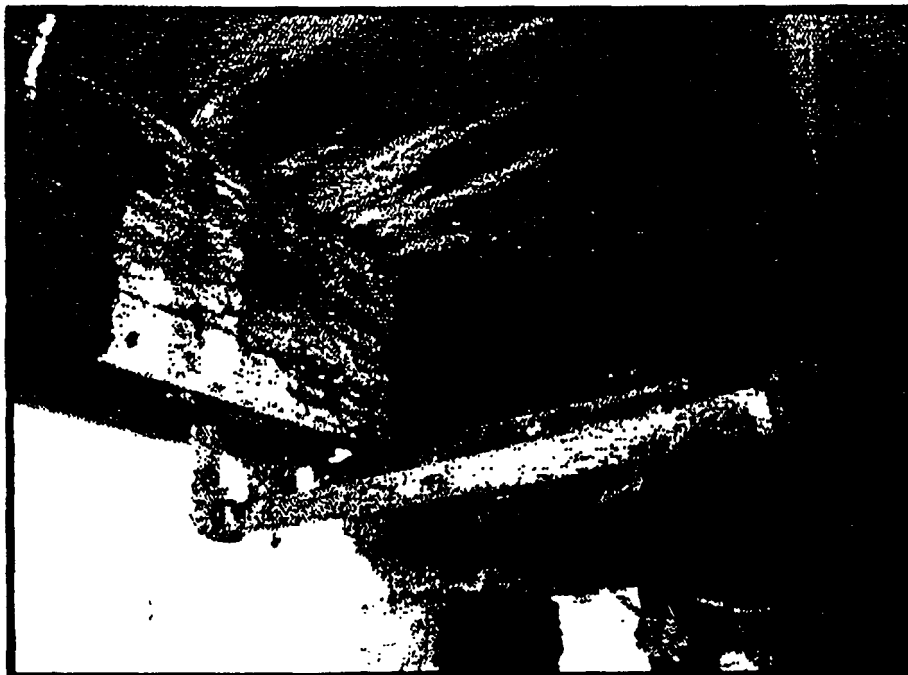


Photo # 10 -

**Photo of water
damage and decay
underneath the
kitchen sink location
taken from the crawl
space.**

Ventura Cerda Residence

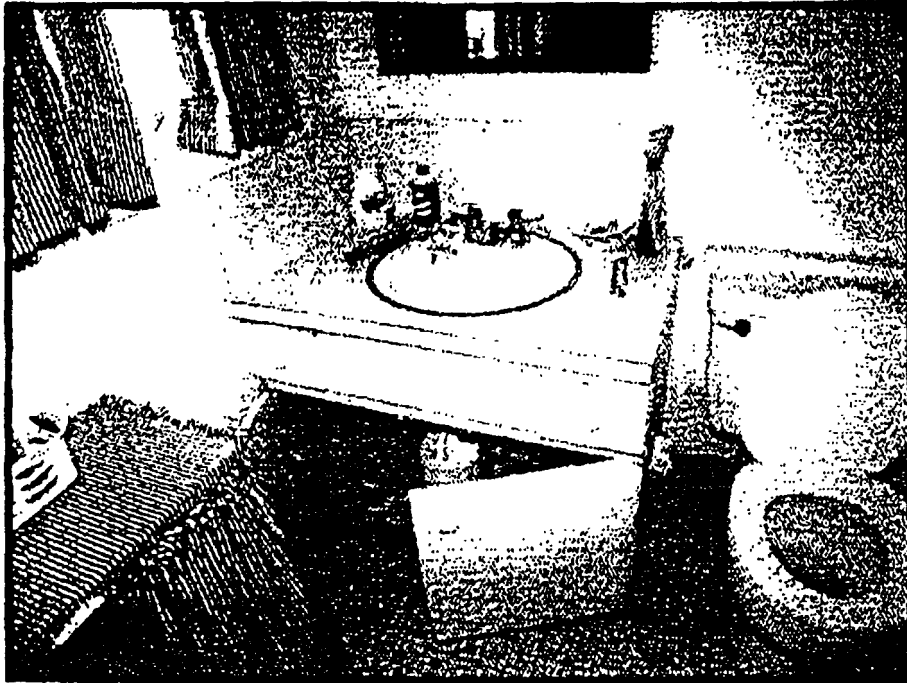


Photo # 11 -

Photo of bathroom
lavatory.

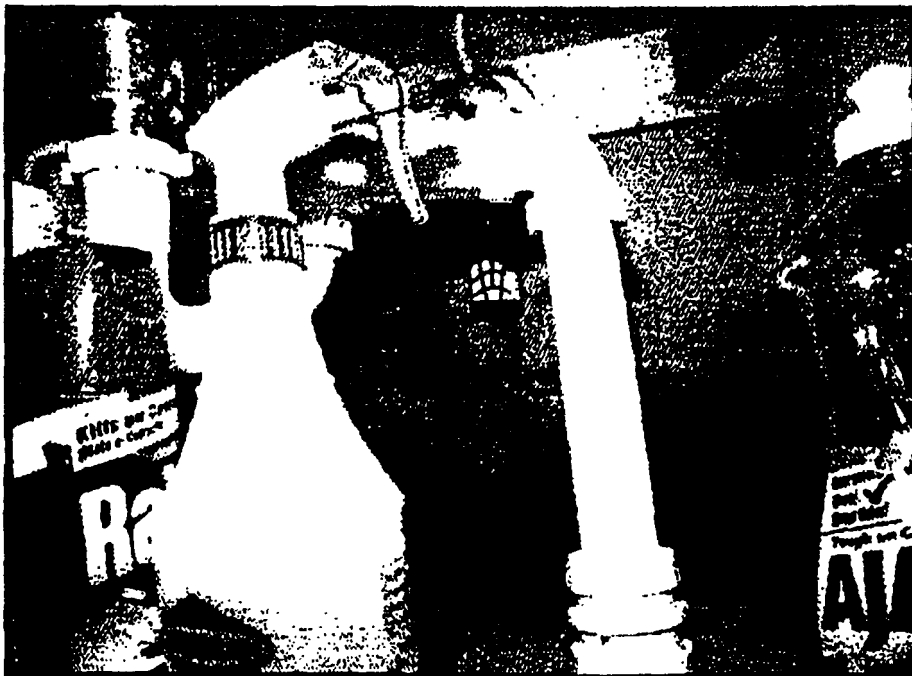


Photo # 12 -

Water damage and
mold growth
underneath the
bathroom lavatory.

Ventura Cerda Residence

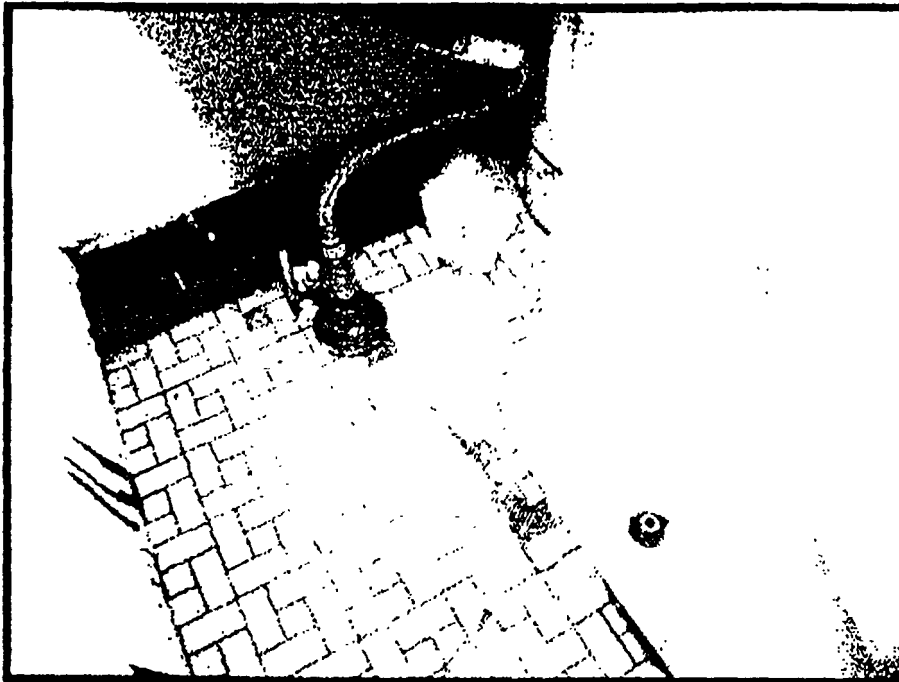


Photo # 13 -

**Photo of commode in
bathroom.**



Photo # 14 -

**Photo underneath the
commode taken from
crawl space. PVC
building drain piping
was replaced in early
2002.**

Ventura Cerda Residence

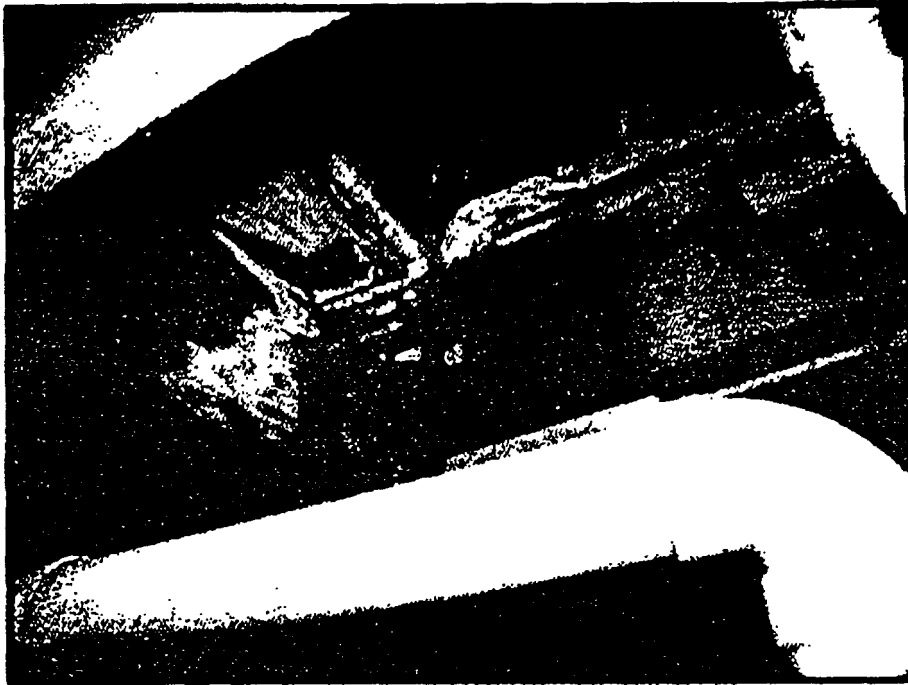


Photo # 15 -

**Photo of damage to
sub-floor and floor
joists underneath
bathroom.**

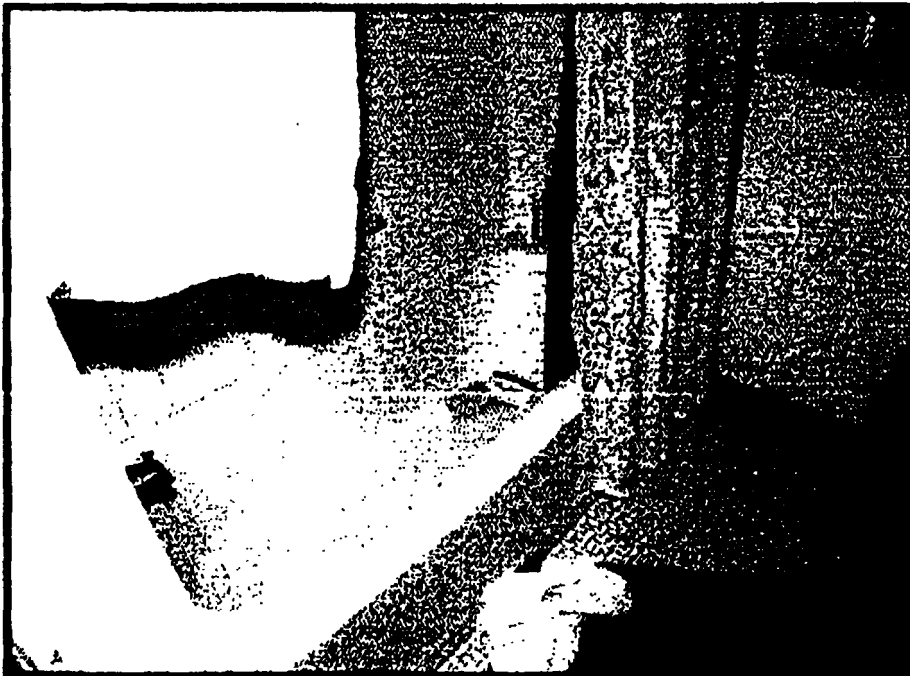


Photo # 16 -

Photo of tub.

Ventura Cerda Residence



Photo # 17 -

**Photo of tub taken
from crawl space.
Evidence of leakage.**



Photo # 18 -

**Evidence of water
damage underneath
tub location taken
from crawl space.**

Ventura Cerda Residence



Photo # 19 -

Photo of water heater.



Photo # 20 -

Water damage and mold growth at the flooring by the hot water heater as a result of a leak at this location.

C.B. THOMAS COMPANY, INC.**4838 Holly Rd., #104****Corpus Christi, Texas 78411**

(361) 906-2200 Facsimile - 906-2245

NOV 01 2002

Customer	CERDA VENTURA	Ins Co	HARTFORD
Address	323 W. SAMANO	Policy #	
City/State	EDINBURG TEXAS	Deductible	
Loss Date		File #	Cerda-Ventura-1
Type Loss		Adjuster	
Claim #		Date	OCTOBER 31 2002

THE WRITER OF THIS ESTIMATE ASSUMES THE FOLLOWING:

1. THE ASBESTOS/MICROBIAL REMEDIATION/REPAIRS TO THE CERDA RESIDENCE LOCATED AT 333 W. SAMANO WILL BE CONDUCTED UTILIZING LABOR AND MATERIAL OF LIKE KIND & QUALITY IN ACCORDANCE WITH FEDERAL, STATE AND LOCAL LAWS. THE REPAIRS WILL ALSO BE CONDUCTED AS PER THE RECOMMENDATIONS PROVIDED BY KRISMER/THOMAS DATED OCTOBER 28, 2002.
2. THE RESIDENCE WILL BE UNOCCUPIED & CONTENTS REMOVED AND DECONTAMINATED AND RESET BY OTHERS WHILE THIS WORK IS BEING PERFORMED. (ESTIMATE APPROXIMATELY 60 WORKING DAYS).
3. THIS SCOPE IS SUBJECT TO CHANGE ACCORDING TO THE RESULTS OF HIDDEN DAMAGE AND OR INVESTIGATION NECESSARY & NOT YET PERFORMED TO DATE.
4. ALL CONTRACTS & DRAW SCHEDULES WILL BE EXECUTED & AGREED UPON PRIOR TO COMMENCEMENT OF WORK.

* UAP = UNDER ABATEMENT PROCEDURE

* UNC = UNDER NORMAL CONDITIONS

THIS ESTIMATE IS PREDICATED ON THE QUANTITY SURVEY WHICH PRECEDES HERewith.

THE SURVEY IS SUBJECT TO MECHANICAL AND HUMAN ERROR. THIS ESTIMATE IS NOW, THEREFORE, SUBJECT TO REVISION CONTINGENT ON THE DISCOVERY OF MECHANICAL AND/OR HUMAN ERROR.

DESCRIPTION	QTY	UNIT	MEAS	COST	DEP	EXT	DEP	DAMAG
-------------	-----	------	------	------	-----	-----	-----	-------

PROVIDE CONTAINMENT AREA INCLUDING DECONTAMINATION UNIT: II**WORKER DECONTAMINATION/EQUIPMENT ENCLOSURE SYSTEM:**

Installation of a full containment work area including a 3 stage decontamination facility complete with hot and cold potable water located reasonably close to the work area, acceptable to owner's environmental engineer of record and/or consultant.

Set up cost to incl. labor & material, elec/plumb	1 ea.	2200.00	2,200.00	2,200.00
---	-------	---------	----------	----------

VACUUM ALL WALLS/CEILING/FLOOR (HEPA VACUUM).

HEPA Vacuum all surfaces of the affected area, clean twice; first time using a 10% biocide solution (bleach) with surfactant additive (murphy oil/soap or ivory liquid soap), the second time with 25% biocide solution (bleach) with surfactant additive with caution. Final wipe down all walls/ceiling/surfaces within affected area with a emicide i.e. microban x or equivalent.

Assume 6 man crew, 5 days

Unskilled labor - 5 men	200 hrs.	17.50	3,500.00	3,500.00
Skilled labor - 1 man	40 hrs.	35.00	1,400.00	1,400.00
Hepa Vacuum	6 ea.	69.00	414.00	414.00
Filters Primary	6 ea.	15.00	90.00	90.00
Filter (Hepa)	1 ea.	65.00	65.00	65.00

TOTALS PAGE 1**\$7,669.00****\$7,669.00**

BUILDING ESTIMATE				PAGE 3			
Customer	GERDA VENTURA			DATE OCTOBER 31, 2002			
Address	523 W. SAMMHO						
City/State	EDINBURG, TEXAS						
DESCRIPTION	QTY	UNIT MEAS	UNIT COST	DEP %	EST	DEP	DAMAGE
Vacuum Bags	6	ea.	3.50		21.00		21.00
Biohazard bags	45	ea.	0.90		40.50		40.50
Disposable suit complete (2 changes daily)	16	ea.	15.25		244.00		244.00
Hepa respi filters (2 changes)	18	pair	6.00		108.00		108.00
Full face respirators (1 per man)	6	ea.	9.00		54.00		54.00
Microban x	36	Gal	32.15		1,157.40		1,157.40
Paper/cloth towel	2	box	175.00		350.00		350.00

Construct 2x4 walls, i.e.: confined space, provide double 6 mill plastic on floors, double 4 mill plastic on walls sealed & taped at all joints as required. Install critical barriers as required. Containment area will be attached to decontamination unit. Containment area for attic and exterior as required.

Assume 5 man crew, 2 days

Unskilled labor - 1 man	48	hrs.	17.50		840.00		840.00
Skilled labor - 1 man	32	hrs.	35.00		1,120.00		1,120.00
2x2, 2x4 Random lengths	40	ea.	4.60		184.00		184.00
Nails/Screws	3	units	10.00		30.00		30.00
4x8x1/2 plywood	4	ea.	11.50		46.00		46.00
Duct tape	40	rls	3.75		150.00		150.00
6 Mill Plastic	8	rls	42.50		340.00		340.00
4 Mill plastic	8	rls	39.50		316.00		316.00
Trip Charge	3	Ea.	45.00		135.00		135.00
Biohazard bags	40	ea.	0.90		36.00		36.00
Disp. suit - 4 men/2 days (2 changes daily)	25	ea.	15.25		381.25		381.25
Hepa respi filters (2 changes)	10	pair	6.00		60.00		60.00
Full face respirators	10	ea.	9.00		90.00		90.00

During demolition & removal of the contaminated portion of the dwelling, workers will be required to utilize 1/2 face respirators, Tyvek coveralls with foot & head protection, cotton gloves and rubber gloves. Down time due to extreme working conditions is considered. Workers will take a 30 min. break every 60 minutes they work. (Approximately)

Assume 3 man crew, 13 days

Unskilled labor - 2 men	208	hrs.	17.50		3,640.00		3,640.00
Skill labor - 1 man	104	hrs.	35.00		3,640.00		3,640.00
Neg air purifier (use charge per unit)	13	days	120.00		1,560.00		1,560.00
* Ductwork Neg air (use charge per unit)	3	units	95.00		285.00		285.00
HEPA air scrubbers (use charge per unit)	3	units	120.00		360.00		360.00
Filter primary	8	ea.	2.50		20.00		20.00
Filter secondary	8	ea.	7.50		60.00		60.00
Filter Hepa	2	ea.	95.00		190.00		190.00
Biohazard bags	100	ea.	0.90		90.00		90.00
Disp. suit- 6 men/13 days (2 changes daily)	78	ea.	15.25		1,189.50		1,189.50
Full face respirators (1 per man)	3	ea.	9.00		27.00		27.00
Hepa resp. filters (3 changes)	9	pair	9.50		85.50		85.50

*Back up unit on site at all times.

BIDDING ESTIMATE

PAGE 3

Customer: CERCA VENTURA
 Address: 323 W. SAMMIS
 City/State: EDINBURG TEXAS

DATE: OCTOBER 31, 2002

DESCRIPTION	UNIT	UNIT	DEF	EXT	DEP	DAMAGE
	QTY	MEAS	COST	%		

Dismantle containment area & decontamination unit including cleaning of interior and exterior walls, ceilings & floor. Hepa vacuum all materials prior to proper disposal. Reclean existing covered walls.

Assume 3 man crew, 3 days

Unskilled labor - 2 men	48	hrs	17.50		840.00	840.00
Skilled labor - 1 man	32	hrs.	35.00		1,120.00	1,120.00
Microban X	9	Gal.	32.15		289.35	289.35
Disposable suit (2 changes daily)	24	ea.	12.25		294.00	294.00
Paper/cloth towel	1	box	150.00		150.00	150.00
Biohazard bags	60	ea.	0.90		54.00	54.00
Full face respirators (1 per man)	3	ea.	9.00		27.00	27.00
Hepa respirator filter (2 changes)	3	pair	6.00		18.00	18.00
Hepa vacuum	6	ea.	69.00		414.00	414.00
Filter primary	12	ea.	15.00		180.00	180.00
Vacuum bags	12	ea.	3.50		42.00	42.00

Cleaning of all safety equipment and tools will require 1.5 hours daily.

Unskilled labor	33	hrs.	17.50		577.50	577.50
Microban X	4	gal	32.15		128.60	128.60
Paper/cloth towel	1	box	50.00		50.00	50.00
Biohazard bags	40	ea.	0.90		36.00	36.00

Supervision for entire remediation process.

Supervisor	176	hrs	40.00		7,040.00	7,040.00
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Engineering

Engineering/consultant for remediation	1	ea.	1500.00		1,500.00	1,500.00
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BUILDING ESTIMATE				PAGE 4				
Customer	CERDA VENTURA	DATE	OCTOBER 31, 2002					
Address	828 W. SAMANO							
City/State	EDINEURG, TEXAS							
		QTY	UNIT MEAS	UNIT COST	DEF %	EXT	DEF	DAMAGE
DESCRIPTION								

LIVING ROOM 23.5' X 16.5' X 8.0'

[ACTUAL FOOTAGES]

WALL & CEILING	S.F. 1028	WALLS ONLY	S.F. 640
FLOOR / CEILING	S.F. 388 YDS. 43	BASE / CROWN	L.F. 80

The following scope/work will be conducted within the containment area with the decontamination unit in place in accordance with federal, state and local laws. (UNDER ABATEMENT PROCEDURE- UAP)

Rem/clean/box/store fan & light UAP	1 Ea.	52.50	52.50	52.50
Rem/clean/box/store door UAP	2 Ea.	16.50	33.00	33.00
Rem/clean/box/store door hardware UAP	2 Ea.	9.50	19.00	19.00
Rem/clean/box/store threshold UAP	1 Ea.	14.50	14.50	14.50
Rem/clean/box/store drapes & rods UAP	4 Ea.	22.50	90.00	90.00
Demo insulation ceiling UAP	48 s.f.	0.45	21.60	21.60
Demo insulation walls UAP	64 s.f.	0.45	28.80	28.80
Demo plaster UAP	112 s.f.	2.25	252.00	252.00
Demo carpet UAP	43 Yds.	6.50	279.50	279.50
Demo pad UAP	43 Yds.	2.00	86.00	86.00
Demo tack strip UAP	80 l.f.	0.90	72.00	72.00
Acid clean & sanitize slab UAP	388 s.f.	1.85	717.80	717.80
Apply Microban X UAP	1374 s.f.	0.75	1,030.50	1,030.50

The following scope will be conducted after the containment area has been dismantled and removed from the dwelling i.e: the microbial contamination has been remediated. Clearance testing indicates negative contamination within affected area and dwelling. (UNDER NORMAL CONDITIONS - UNC)

Reinstall fan & light UNC	1 Ea.	17.50	17.50	17.50
Reinstall door UNC	2 Ea.	10.50	21.00	21.00
Reinstall door hardware UNC	2 Ea.	5.50	11.00	11.00
Reinstall threshold UNC	1 Ea.	6.50	6.50	6.50
Reinstall drapes & rods UNC	4 Ea.	10.50	42.00	42.00
Install insulation ceiling UNC	48 s.f.	0.55	26.40	26.40
Install insulation walls UNC	64 s.f.	0.45	28.80	28.80
Install plaster UNC	223 s.f.	7.55	1,683.65	1,683.65
Install carpet UNC	43 Yds.	24.50	1,053.50	1,053.50
Install pad UNC	43 Yds.	2.95	126.85	126.85
Install tack strip UNC	80 l.f.	0.35	28.00	28.00
Skimcoat w/c UNC	986 s.f.	2.25	2,218.50	2,218.50
Paint walls & ceiling UNC	986 s.f.	0.41	404.26	404.26
Paint/Finish built-in cabinet UNC	4 l.f.	18.50	74.00	74.00
Paint/Finish base UNC	74 l.f.	0.50	37.00	37.00
Paint/Finish door openings b/s UNC	2 Ea.	15.00	30.00	30.00
Paint/Finish door b/s UNC	2 Ea.	24.00	48.00	48.00
Paint/Finish window openings UNC	4 Ea.	10.00	40.00	40.00
Paint/Finish window sill UNC	4 Ea.	4.50	18.00	18.00
Apply Microban X UNC	1374 s.f.	0.46	632.04	632.04

BUILDING ESTIMATE				PAGE 7			
Customer	GERDA VENTURA			DATE OCTOBER 31, 2002			
Address	323 W. SAMANO						
City/State	EDINBURG, TEXAS						
DESCRIPTION	QTY	UNIT MEAS	UNIT COST	DEP %	EXT	DEP	DAMAGE

The following scope will be conducted after the containment area has been dismantled and removed from the dwelling i.e: the microbial contamination has been remediated. Clearance testing indicates negative contamination within affected area and dwelling. (UNDER NORMAL CONDITIONS - UNC)

Reinstall light UNC	2	Ea.	10.50		21.00		21.00
Reinstall door UNC	3	Ea.	10.50		31.50		31.50
Reinstall door hardware UNC	3	Ea.	5.50		16.50		16.50
Reinstall heat light vent UNC	1	Ea.	18.50		18.50		18.50
Reinstall mirror UNC	1	Ea.	8.50		8.50		8.50
Reinstall sink & faucet UNC	1	Ea.	32.50		32.50		32.50
Reinstall toilet UNC	1	Ea.	48.50		48.50		48.50
Reinstall tub UNC	1	Ea.	140.00		140.00		140.00
Reinstall tub valve UNC	1	Ea.	32.50		32.50		32.50
Reinstall shower valve UNC	1	Ea.	32.50		32.50		32.50
Reinstall shower curtain/rod UNC	1	Ea.	8.00		8.00		8.00
Reinstall drapes & rods UNC	2	Ea.	10.50		21.00		21.00
Reinstall closet rod & shelf UNC	1	Ea.	3.25		3.25		3.25
Reconnect Plumbing UNC	1	Ea.	22.50		22.50		22.50
Reinstall p-trap assembly UNC	1	Ea.	22.50		22.50		22.50
Install water heater UNC	1	Ea.	74.00		74.00		74.00
Install plaster UNC	144	s.f.	7.55		1,087.20		1,087.20
Install insulation walls UNC	80	s.f.	0.45		36.00		36.00
Install sheetrock UNC	128	s.f.	0.95		121.60		121.60
Install tile base UNC	11	l.f.	3.25		35.75		35.75
Install shoe UNC	11	l.f.	0.45		4.95		4.95
Install formica counter UNC	3	l.f.	32.50		97.50		97.50
Install lav. cabinet UNC	3	l.f.	55.00		165.00		165.00
Install wallpaper UNC	2	Rolls	65.00		130.00		130.00
Prep for wallpaper UNC	58	s.f.	0.25		14.50		14.50
Install ceiling tile UNC	99	s.f.	2.05		202.95		202.95
Install ceramic tile floor UNC	34	s.f.	9.50		323.00		323.00
Install shower tile UNC	66	s.f.	6.50		429.00		429.00
Install soap dish UNC	1	Ea.	12.00		12.00		12.00
Install deco trim UNC	11	l.f.	4.25		46.75		46.75
Install subfloor UNC	55	s.f.	2.75		151.25		151.25
Paint closet walls UNC	68	s.f.	0.41		27.88		27.88
Paint/Finish base UNC	15	l.f.	0.50		7.50		7.50
Paint/Finish door openings b/s UNC	4	Ea.	15.00		60.00		60.00
Paint/Finish door b/s UNC	3	Ea.	24.00		72.00		72.00
Paint/Finish window openings UNC	2	Ea.	10.00		20.00		20.00
Paint/Finish window sill UNC	2	Ea.	4.50		9.00		9.00
Paint/Finish make-up cabinet UNC	7	l.f.	20.00		140.00		140.00
Paint/Finish linen cabinet UNC	4	l.f.	24.00		96.00		96.00
Protect floor UNC	60	s.f.	0.50		30.00		30.00
Paint/Finish shelf UNC	1	Ea.	3.50		3.50		3.50
Apply Microban X UNC	817	s.f.	0.46		375.82		375.82

BUILDING ESTIMATE				PAGE 8			
Customer	CERDA, VENTURA			DATE OCTOBER 31, 2002			
Address	323 W. SAN ANTONIO						
City/State	EEDINBURG, TEXAS						
DESCRIPTION	QTY	UNIT MEAS	UNIT COST	DEF %	EXT	DEF	DAMAGE

NOOK 14.5' X 9.5' X 8.0'

[ACTUAL FOOTAGES]

WALL & CEILING	S.F. 522	WALLS ONLY	S.F. 384
FLOOR / CEILING	S.F. 138 YDS. 15	BASE / CROWN	L.F. 48

The following scope/work will be conducted within the containment area with the decontamination unit in place in accordance with federal, state and local laws. (UNDER ABATEMENT PROCEDURE- UAP)

Rem/clean/box/store chandler UAP	1 Ea.	55.00	55.00	55.00
Rem/clean/box/store door hardware UAP	2 Ea.	9.50	19.00	19.00
Rem/clean/box/store bi-fold door UAP	2 Ea.	9.50	19.00	19.00
Rem/clean/box/store door chimes UAP	1 Ea.	16.50	16.50	16.50
Apply Microban X UAP	541 s.f.	0.75	405.75	405.75

The following scope will be conducted after the containment area has been dismantled and removed from the dwelling i.e: the microbial contamination has been remediated. Clearance testing indicates negative contamination within affected area and dwelling. (UNDER NORMAL CONDITIONS - UNC)

Reinstall chandler UNC	1 Ea.	38.00	38.00	38.00
Reinstall door hardware UNC	2 Ea.	5.50	11.00	11.00
Reinstall bi-fold door UNC	2 Ea.	10.50	21.00	21.00
Reinstall door chimes UNC	1 Ea.	5.50	5.50	5.50
Paint walls & ceiling UNC	403 s.f.	0.41	165.23	165.23
Paint/Finish built-in cabinet UNC	4 l.f.	18.50	74.00	74.00
Paint/Finish base UNC	31 l.f.	0.50	15.50	15.50
Paint/Finish door openings b/s UNC	2 Ea.	15.00	30.00	30.00
Paint/Finish door b/s UNC	2 Ea.	24.00	48.00	48.00
Paint/Finish shelf UNC	4 Ea.	3.50	14.00	14.00
Protect floor UNC	138 s.f.	0.50	69.00	69.00
Apply Microban X UNC	541 s.f.	0.46	248.86	248.86

KITCHEN 8.5' X 10.5' X 8.0'

[ACTUAL FOOTAGES]

WALL & CEILING	S.F. 393	WALLS ONLY	S.F. 304
FLOOR / CEILING	S.F. 89 YDS. 10	BASE / CROWN	L.F. 38

The following scope/work will be conducted within the containment area with the decontamination unit in place in accordance with federal, state and local laws. (UNDER ABATEMENT PROCEDURE- UAP)

Rem/clean/box/store light UAP	1 Ea.	14.50	14.50	14.50
Rem/clean/box/store stove UAP	1 Ea.	55.00	55.00	55.00
Rem/clean/box/store sink & faucet UAP	1 Ea.	42.50	42.50	42.50
Rem/clean/box/store drapes & rods UAP	1 Ea.	22.50	22.50	22.50
Demo insulation ceiling UAP	89 s.f.	0.45	40.05	40.05
Demo insulation walls UAP	32 s.f.	0.45	14.40	14.40

BUILDING ESTIMATE

PAGE 4

Customer CERDA VENTURA
 Address 823 N. GARDNER
 City/State EDINBURG TEXAS

DATE OCTOBER 31, 2002

DESCRIPTION	QTY	UNIT MEAS	UNIT COST	DEP %	EXT	DEP	DAMAGE
Demo plaster UAP	32	s.f.	2.25		72.00		72.00
Demo cabinet base UAP	10.5	l.f.	45.50		477.75		477.75
Demo cabinet upper UAP	10.5	l.f.	40.00		420.00		420.00
Demo ceramic tile counter UAP	16	s.f.	25.50		408.00		408.00
Demo window trim UAP	1	Ea.	15.50		15.50		15.50
Demo window sill UAP	1	Ea.	7.50		7.50		7.50
Demo ceiling tile UAP	89	s.f.	1.65		146.85		146.85
Demo vinyl sheet goods UAP	8	Yds.	22.50		180.00		180.00
Demo subfloor UAP	32	s.f.	5.50		176.00		176.00
Acid clean & sanitize slab UAP	89	s.f.	1.85		164.65		164.65
Apply Microban X UAP	398	s.f.	0.75		298.50		298.50

The following scope will be conducted after the containment area has been dismantled and removed from the dwelling i.e: the microbial contamination has been remediated. Clearance testing indicates negative contamination within affected area and dwelling. (UNDER NORMAL CONDITIONS - UNC)

Reinstall light UNC	1	Ea.	10.50		10.50		10.50
Reinstall stove UNC	1	Ea.	22.50		22.50		22.50
Reinstall sink & faucet UNC	1	Ea.	32.50		32.50		32.50
Reinstall drapes & rods UNC	1	Ea.	10.50		10.50		10.50
Reconnect elec. UNC	1	Ea.	60.00		60.00		60.00
Reconnect Plumbing UNC	1	Ea.	22.50		22.50		22.50
Install insulation ceiling UNC	89	s.f.	0.55		48.95		48.95
Install insulation walls UNC	32	s.f.	0.45		14.40		14.40
Install plaster UNC	32	s.f.	7.55		241.60		241.60
Install cabinet base UNC	10.5	l.f.	75.00		787.50		787.50
Install cabinet upper UNC	10.5	l.f.	65.00		682.50		682.50
Install window trim UNC	1	Ea.	18.50		18.50		18.50
Install window sill UNC	1	Ea.	16.50		16.50		16.50
Install ceramic tile counter UNC	16	s.f.	16.50		264.00		264.00
Install vinyl sheet goods UNC	8	Yds.	30.50		244.00		244.00
Install ceiling tile UNC	89	s.f.	2.05		182.45		182.45
Install subfloor UNC	32	s.f.	2.75		88.00		88.00
Paint walls UNC	220	s.f.	0.41		90.20		90.20
Paint/Finish base UNC	15	l.f.	0.50		7.50		7.50
Paint/Finish window openings UNC	1	Ea.	10.00		10.00		10.00
Paint/Finish window sill UNC	1	Ea.	4.50		4.50		4.50
Paint/Finish base cabinet UNC	10.5	l.f.	17.00		178.50		178.50
Paint/Finish upper cabinet UNC	10.5	l.f.	15.00		157.50		157.50
Apply Microban X UNC	398	s.f.	0.46		183.08		183.08

BUILDING ESTIMATE				PAGE 10			
Customer	CERDA VENTURA			DATE OCTOBER 31, 2002			
Address	323 W. SAMANO						
City/State	EDINBURG, TEXAS						
DESCRIPTION	QTY	UNIT MEAS	UNIT COST	DEP %	EXT	DEP	DAMAGE

UTILITY ROOM: 5.5' X 16.5' X 8.0'

[ACTUAL FOOTAGES]

WALL & CEILING	S.F. 443	WALLS ONLY	S.F. 352
FLOOR / CEILING	S.F. 91 YDS. 10	BASE / CROWN	L.F. 44

The following scope/work will be conducted within the containment area with the decontamination unit in place in accordance with federal, state and local laws. (UNDER ABATEMENT PROCEDURE- UAP)

Rem/clean/box/store light UAP	1 Ea.	14.50	14.50	14.50
Rem/clean/box/store/window unit UAP	1 Ea.	95.00	95.00	95.00
Rem/clean/box/store door UAP	1 Ea.	16.50	16.50	16.50
Rem/clean/box/store door hardware UAP	1 Ea.	9.50	9.50	9.50
Rem/clean/box/store threshold UAP	1 Ea.	14.50	14.50	14.50
Rem/clean/box/store drapes & rods UAP	2 Ea.	22.50	45.00	45.00
Demo insulation ceiling UAP	91 s.f.	0.45	40.95	40.95
Demo vinyl sheet goods UAP	10 Yds.	22.50	225.00	225.00
Demo ceiling tile UAP	91 s.f.	1.65	150.15	150.15
Acid clean & sanitize slab UAP	91 s.f.	1.85	168.35	168.35
Apply Microban X UAP	429 s.f.	0.75	321.75	321.75

The following scope will be conducted after the containment area has been dismantled and removed from the dwelling i.e: the microbial contamination has been remediated. Clearance testing indicates negative contamination within affected area and dwelling. (UNDER NORMAL CONDITIONS - UNC)

Reinstall light UNC	1 Ea.	10.50	10.50	10.50
Reinstall window unit UNC	1 Ea.	27.50	27.50	27.50
Reinstall door UNC	1 Ea.	10.50	10.50	10.50
Reinstall door hardware UNC	1 Ea.	5.50	5.50	5.50
Reinstall threshold UNC	1 Ea.	6.50	6.50	6.50
Reinstall drapes & rods UNC	2 Ea.	10.50	21.00	21.00
Install insulation ceiling UNC	91 s.f.	0.55	50.05	50.05
Install vinyl sheet goods UNC	10 Yds.	30.50	305.00	305.00
Install ceiling tile UNC	91 s.f.	2.05	186.55	186.55
Paint walls UNC	247 s.f.	0.41	101.27	101.27
Paint/Finish base UNC	29 l.f.	0.50	14.50	14.50
Paint/Finish door openings b/s UNC	1 Ea.	15.00	15.00	15.00
Paint/Finish door b/s UNC	1 Ea.	24.00	24.00	24.00
Paint/Finish window openings UNC	2 Ea.	10.00	20.00	20.00
Paint/Finish window sill UNC	2 Ea.	4.50	9.00	9.00
Apply Microban X UNC	429 s.f.	0.46	197.34	197.34

BUILDING ESTIMATE

PAGE 11

Customer: GERDA VENTURA
 Address: 323 W. SAMMIS
 City/State: EDINBURG TEXAS

DATE: OCTOBER 31, 2002

DESCRIPTION	QTY	UNIT	MEAS	COST	DEP	EXT	DEP	DAMAGE
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HALLWAY: 4.0' X 7.5' X 8.0'
 LINEN CLOSET 2.5' X 2.0' X 8.0'

[ACTUAL FOOTAGES]

WALL & CEILING	S.F.	291	WALLS ONLY	S.F.	256
FLOOR / CEILING	S.F.	35 YDS. 4	BASE / CROWN	L.F.	32

The following scope/work will be conducted within the containment area with the decontamination unit in place in accordance with federal, state and local laws. (UNDER ABATEMENT PROCEDURE- UAP)

Rem/clean/box/store door UAP	2 Ea.	16.50	33.00	33.00
Rem/clean/box/store door hardware UAP	2 Ea.	9.50	19.00	19.00
Acid clean & sanitize slab UAP	35 s.f.	1.85	64.75	64.75
Apply Microban X UAP	277 s.f.	0.75	207.75	207.75

The following scope will be conducted after the containment area has been dismantled and removed from the dwelling i.e: the microbial contamination has been remediated. Clearance testing indicates negative contamination within affected area and dwelling. (UNDER NORMAL CONDITIONS - UNC)

Reinstall door UNC	2 Ea.	10.50	21.00	21.00
Reinstall door hardware UNC	2 Ea.	5.50	11.00	11.00
Paint ceiling only UNC	35 s.f.	0.41	14.35	14.35
Paint walls UNC	207 s.f.	0.41	84.87	84.87
Paint/Finish built-in cabinet UNC	4 l.f.	18.50	74.00	74.00
Paint/Finish base UNC	20 l.f.	0.50	10.00	10.00
Paint/Finish door openings b/s UNC	2 Ea.	15.00	30.00	30.00
Paint/Finish door b/s UNC	2 Ea.	24.00	48.00	48.00
Paint/Finish shelf UNC	4 Ea.	3.50	14.00	14.00
Protect floor UNC	35 s.f.	0.50	17.50	17.50
Apply Microban X UNC	277 s.f.	0.46	127.42	127.42

MASTER BEDROOM 17.5' X 14.0' X 8.0'
 PLUS 4.5' X 4.5' X 8.0'
 CLOSET: 4.0' X 4.0' X 8.0'
 CLOSET 2.5' X 4.0' X 8.0'

[ACTUAL FOOTAGES]

WALL & CEILING	S.F.	1171	WALLS ONLY	S.F.	880
FLOOR / CEILING	S.F.	291 YDS. 32	BASE / CROWN	L.F.	110

The following scope/work will be conducted within the containment area with the decontamination unit in place in accordance with federal, state and local laws. (UNDER ABATEMENT PROCEDURE- UAP)

Rem/clean/box/store light UAP	1 Ea.	14.50	14.50	14.50
Rem/clean/box/store fan & light UAP	1 Ea.	52.50	52.50	52.50
Rem/clean/box/store door UAP	2 Ea.	16.50	33.00	33.00

TOTALS PAGE 11

\$876.64

\$876.64

BUILDING ESTIMATE				PAGE 12			
Customer		CERDA MENTURA		DATE OCTOBER 31, 2002			
Address		3230 W. SAMANO					
City/State		EDINBURG TEXAS					
DESCRIPTION	QTY	UNIT MEAS	UNIT COST	DEP %	EXT	DEP	DAMAGE
Rem/clean/box/store door hardware UAP	2	Ea.	9.50		19.00		19.00
Rem/clean/box/store drapes & rods UAP	4	Ea.	22.50		90.00		90.00
Rem/clean/box/store shutters UAP	2	Ea.	15.50		31.00		31.00
Rem/clean/box/store closet rod/shelf UAP	2	Ea.	5.50		11.00		11.00
Demo insulation ceiling UAP	291	s.f.	0.45		130.95		130.95
Demo sheetrock UAP	48	s.f.	2.25		108.00		108.00
Demo base UAP	14	l.f.	0.65		9.10		9.10
Demo ceiling tile UAP	291	s.f.	1.65		480.15		480.15
Apply Microban X UAP	1357	s.f.	0.75		1,017.75		1,017.75

The following scope will be conducted after the containment area has been dismantled and removed from the dwelling i.e: the microbial contamination has been remediated. Clearance testing indicates negative contamination within affected area and dwelling. (UNDER NORMAL CONDITIONS - UNC)

Reinstall light UNC	1	Ea.	10.50		10.50		10.50
Reinstall fan & light UNC	1	Ea.	17.50		17.50		17.50
Reinstall door UNC	2	Ea.	10.50		21.00		21.00
Reinstall door hardware UNC	2	Ea.	5.50		11.00		11.00
Reinstall drapes & rods UNC	4	Ea.	10.50		42.00		42.00
Reinstall shutters UNC	2	Ea.	6.50		13.00		13.00
Reinstall closet rod & shelf UNC	2	Ea.	3.25		6.50		6.50
Install insulation ceiling UNC	291	s.f.	0.55		160.05		160.05
Install sheetrock UNC	48	s.f.	0.95		45.60		45.60
Install base UNC	14	l.f.	0.85		11.90		11.90
Install ceiling tile UNC	291	s.f.	2.05		596.55		596.55
Paint walls UNC	775	s.f.	0.41		317.75		317.75
Paint/Finish base UNC	95	l.f.	0.50		47.50		47.50
Paint/Finish shutters UNC	2	ea.	18.00		36.00		36.00
Paint/Finish door openings b/s UNC	2	Ea.	15.00		30.00		30.00
Paint/Finish door b/s UNC	2	Ea.	24.00		48.00		48.00
Paint/Finish window openings UNC	4	Ea.	10.00		40.00		40.00
Paint/Finish window sill UNC	4	Ea.	4.50		18.00		18.00
Paint/Finish shelf UNC	2	Ea.	3.50		7.00		7.00
Apply Microban X UNC	1357	s.f.	0.46		624.22		624.22

BUILDING ESTIMATE

SUMMARY

Customer: CERDA VENTURE
 Address: 328 W. SAMANO
 City/State: EDINBURG, TEXAS

DATE: OCTOBER 31, 2002

DEF

%

EXT

DEP

DAMAGE

Total	Page 1	\$7,669.00	\$7,669.00
Total	Page 2	16,850.15	16,850.15
Total	Page 3	12,760.45	12,760.45
Total	Page 4	9,244.20	9,244.20
Total	Page 5	2,428.98	2,428.98
Total	Page 6	3,148.75	3,148.75
Total	Page 7	4,232.40	4,232.40
Total	Page 8	1,444.29	1,444.29
Total	Page 9	5,744.93	5,744.93
Total	Page 10	2,105.41	2,105.41
Total	Page 11	876.64	876.64
Total	Page 12	4,001.02	4,001.02
Total	Page 13	17,800.00	17,800.00

TOTAL ALL PAGES		88,306.22	88,306.22
Material Tax		2511.21	2511.21
Overhead & Profit	21%	18,544.31	18,544.31
Total		\$109,361.74	\$109,361.74

Savannah Robinson
LAW OFFICE of S. ROBINSON
1810 Main Street
Danbury, TX 77534
(979) 922-8825
FAX: (979) 922-8857

Education

1974 – H.S. diploma, A&M Consolidated High School, College Station, Texas
1979 – B.A. degree, Rice University, Houston, Texas (major: Architecture)
1981 – J.D. degree, University of Texas Law School, Austin, Texas

Work History

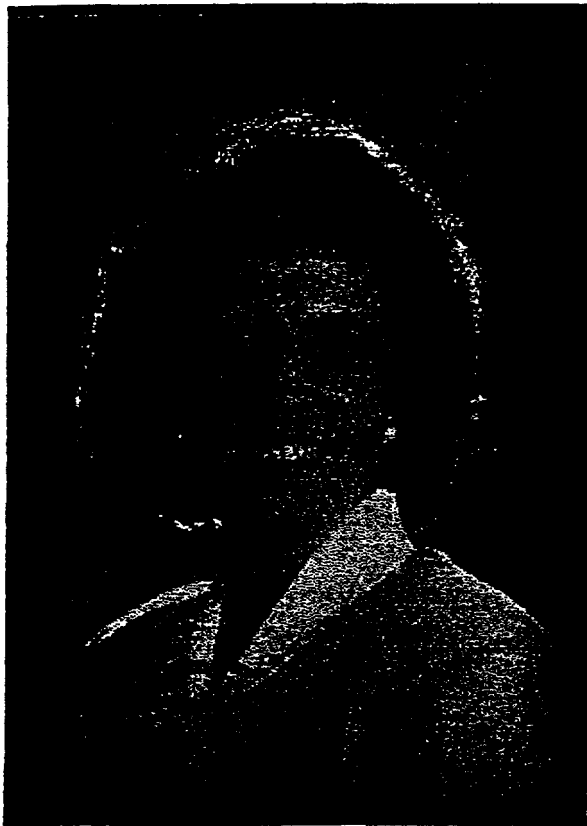
- Texas Department of Water Resources
- Smith, R, R and R, Corsicana, Texas
- White, Huseman, Pletcher and Powers, Corpus Christi, Texas
- George Ann Harpole, P.C., Corpus Christi, Texas
- Soules and Wallace, LLP, Corpus Christi, Texas
- Law Office of S. Robinson, Corpus Christi, Texas
- Whittle, Cox & Robinson, Corpus Christi, Texas
- Cox & Robinson, Corpus Christi, Texas
- Law Office of S. Robinson, Corpus Christi, Texas
- Law Office of S. Robinson, Danbury, Texas
- Law Office of S. Robinson, McAllen, Texas

Licensed

State Bar of Texas, #17108150 (1981)
Southern District of Texas #5922 (1986)
Western District of Texas (1989)
Northern District of Texas (2000)
Western District of Michigan (1995)
5th Circuit Court of Appeals (1990)



Law Office of Savannah Robinson



Contact Information:

Savannah Lina Robinson, Esq.
1810 Main Street
Danbury, TX 77534
(979) 922-8825 (office)
(979) 922-8857 (fax)
SavannahRobinson@aol.com

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Bad Faith

Member:

- Texas Bar Association
Texas Trial Lawyers Association
Texas Women Lawyers' Association
- American Bar Association (ABA)

Texas Bar Assn - Member # 17108150
Federal Bar Assn - ID #5922

Licensed to practice in:

- State of Texas
Texas Bar Association
Federal District Courts for the
Southern District
Federal District Courts for the Northern
District
Federal District Courts for the Western
District
- 5th Circuit Court of Appeals
- State of Michigan
Federal District Courts for the Western
District of Michigan

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